

# **2007-2008 TEXTBOOK ADMINISTRATION HANDBOOK**

**RULES AND REGULATIONS  
For the Adoption, Distribution, Care and  
Use of Textbooks in Mississippi  
Part B: Publishers  
Adoption Procedures**

**Mississippi Department of Education  
Instructional Programs and Services  
Office of Academic Education  
Office of Curriculum and Instruction  
Textbook Office  
P. O. Box 771  
Jackson, Mississippi 39205-0771  
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Fax: 601.354.7590**

### **Notice of Non-Discrimination**

The Mississippi State Board of Education, the Mississippi Department of Education, the Mississippi School of the Arts, the Mississippi School for the Blind, the Mississippi School for the Deaf, and the Mississippi School for Mathematics and Science do not discriminate on the basis of race, color, religion, national origin, sex, age, or disability in the provision of educational programs and services or employment opportunities and benefits. The following office has been designated to handle inquiries and complaints regarding the non-discrimination policies of the above mentioned entities.

Director, Office of Human Resources  
Mississippi Department of Education  
359 North West Street, Suite 359  
Jackson, Mississippi 39201  
(601) 359-3511

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Form B and D can be downloaded at the following website: <a href="http://www.mde.k12.ms.us/Textbook/textbooks.htm">http://www.mde.k12.ms.us/Textbook/textbooks.htm</a>	

## MISSISSIPPI BOARD OF EDUCATION

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Approved	
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## **INTRODUCTION**

The textbook adoption system employed by the State of Mississippi is an orderly process by which textbooks from the marketplace are reviewed and selected for use in school classrooms. The major participants in this system are the publishers/vendors that submit materials for adoption, the textbook rating committees that evaluate and recommend the materials for adoption, the Mississippi State Board of Education which officially adopts the textbooks, and finally, the local school districts which select and place into use the textbooks that have been adopted. In order to maintain the integrity of the process, specific procedures have been developed for each of the groups to follow throughout the adoption year.

These procedures will provide a broader understanding of the adoption process and emphasize the common goal of the participant groups – quality textbooks for Mississippi classrooms.

### **MISSISSIPPI DEPARTMENT OF EDUCATION TEXTBOOK OFFICE**

#### **SHIPPING ADDRESS**

**500 GREYMONT AVENUE, SUITE G  
JACKSON, MS 39202**

#### **MAILING ADDRESS**

**P.O. BOX 771  
JACKSON, MS 39205-0771**

#### **TELEPHONE NUMBER**

**(601) 354-7543**

#### **FAX NUMBER**

**(601) 354-7590**

#### **WEBSITE**

[www.mde.k12.ms.us/textbook/textbooks.htm](http://www.mde.k12.ms.us/textbook/textbooks.htm)

## **MISSISSIPPI 2007 CALL FOR BIDS**

In developing the "Call for Bids" for the 2007 Adoption, the State Board of Education has made reference to the **APPROVED COURSES FOR THE SECONDARY SCHOOLS OF MISSISSIPPI 2007-2008**. The document can be downloaded from the following website:

<http://www.mde.k12.ms.us/ACAD/ID/Curriculum/pdfs/Secondary-Schools-Courses-2007-2008.pdf>.

As publishers/vendors make decisions regarding the submission of textbooks for consideration for adoption in the various categories, the appropriate CURRICULUM FRAMEWORK should be consulted to ensure that the textbooks being proposed and bid properly match the curriculum requirements.

Publishers/vendors that have not received a copy of the appropriate CURRICULUM FRAMEWORK for the various categories may do so by calling the telephone numbers listed below. The framework may be viewed at the MDE website [www.mde.k12.ms.us](http://www.mde.k12.ms.us). The framework for Advanced Placement courses may be viewed at the College Board Website at [http://www.collegeboard.com/prod\\_downloads/ap/students](http://www.collegeboard.com/prod_downloads/ap/students).

### **Business and Technology (K-12) Education**

Trecina Green, Bureau Director  
Office of Curriculum and Instruction  
E-mail Address- [tgreen@mde.k12.ms.us](mailto:tgreen@mde.k12.ms.us)  
Phone Number- (601) 359-2586  
Fax Number- (601) 359-2040

### **Mathematics Education (K-12)**

Marcus Thompson – Math Specialist  
Office of Curriculum and Instruction  
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### **Driver's Education (9-12)**

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Phone Number - (601)359-1028  
Fax Number- (601) 359-3184

In accordance with state textbook law, the evaluation and rating process is implemented by a series of rating committees. Each rating committee consists of seven members. Each committee member may recommend up to eight **TEXTBOOKS/SERIES** in each category.

Listed on the following pages is information regarding the name of each committee and the instructional categories assigned to each committee for review and subsequent rating.

**MISSISSIPPI  
2007 Adoption Call**

<b>Committee Name</b>	<b>Subject Area/ Grade Level</b>	<b>Instructional Category</b>
<b>Business &amp; Technology Education</b>	<b>K-12</b>	Computer Literacy 1-6 Computer Literacy 7-8 Accounting I Accounting II Advanced Software Topics Business Law Certified Advanced Networking I Certified Advanced Networking II Certified Advanced Networking III Certified Advanced Networking IV Communications in Business Computer Applications Computer Engineering I Computer Engineering II Desktop Publishing I Desktop Publishing II Digital Media Design Digital Photography Digital Video Entrepreneurship Financial Technology Global Marketing Graphic Design I Graphic Design II Home Technology Integration Information Processing Innovative Applications Using Technology International Business and Public Policy Keyboarding Multimedia Projects Network Essentials Personal Finance Programming I - Beginning Programming I- Foundations Programming I- Introductory Programming II Research Using Technology's Information Tools Telecommunications Web Page Design I Web Page Design II



Committee Name	Subject Area/ Grade Level	Instructional Category
		<b>Word Processing</b> <i>Panduit Network Infrastructure Essentials</i> <b>Principals of Computer Aided Drafting</b> <b>Programming Advanced</b> <b>Advanced Desktop Publishing</b> <b>Computation in Business</b> <b>Computer Science A- Advanced Placement</b> <b>Computer Science AB-Advanced Placement</b> <i>IT Essentials I-PC Hardware and Software</i> <i>IT Essentials II: Networking Operating Systems</i>
<b>Driver's Education</b>	<b>9-12</b>	<b>Driver Education</b>
<b>Mathematics</b>	<b>K-6</b>	<b>Mathematics K-6</b>
	<b>6-8</b>	<b>Mathematics (6-7)</b> <b>Compensatory Mathematics (6-8)</b> <b>Pre-Algebra (6-8)</b> <b>Transition to Algebra (7-8)</b> <b>Algebra I (7-8)</b>
	<b>9-12</b>	<b>Algebra I</b> <b>Algebra II</b> <b>Advanced Algebra</b> <b>Calculus</b> <b>Calculus A.B., Advanced Placement</b> <b>Calculus B.C., Advanced Placement</b> <b>Compensatory Mathematics (9-12)</b> <b>Discrete Mathematics</b> <b>Geometry</b> <b>Introduction to Engineering</b> <b>Pre-Calculus</b> <b>Pre-Algebra</b> <b>Statistics</b> <b>Statistics, Advanced Placement</b> <b>Survey of Mathematical Topics</b> <b>Transition to Algebra</b> <b>Trigonometry</b>

## **DEFINITIONS**

Some terms used in the "Call for Bids" require clarification. For the convenience of publishers/vendors and state rating committees, the following terms are defined:

Textbook:	Any medium or manual of instruction which contains a systematic presentation of the principles of a subject and which constitutes a major instructional vehicle for that subject. ( <u>Mississippi Code Annotated</u> Section 37-43-1)
Teacher's Edition:	Hardbound book that may be referred to as an Annotated Teacher's Edition or Wraparound. Teacher's editions in the form of a CD or online may be accepted. Consideration will be given on an individual basis for companies that produce anything other than the traditional teacher's edition.
Supplemental:	Student or teacher materials that stand alone and do not constitute the principal source of study for a subject or course.
Ancillary Materials:	Student or teacher materials that are designed to support a textbook but are not an integral part of the textbook.
Sample:	Any product sent by publisher/vendor to school district that is free. This sample is yours to keep. Complimentary is also a term used when referring to a sample.
Examination Copy:	Product sent to State Rating Committee member and/or Local Selection Committee member for their review and consideration for adoption. These materials must be returned to School Book Supply Company of Mississippi. Passwords for online curriculum will expire after the adoption process.
Hardware:	The equipment required to use electronic-based materials.

The State Board of Education, at this time, does not adopt:

- Supplemental Materials
- Hardware

## MISSISSIPPI PUBLISHERS' PROCEDURES

### I. REGULATIONS FOR PUBLISHERS

- A. **BIDDING PROCEDURES** - Publishers/vendors holding current textbook contracts with the State of Mississippi will automatically receive a packet of information containing necessary bid-related forms, the textbook law, a list of textbooks to be adopted, and all other information necessary for the proper submission of bids. Other interested publishers/vendors should call the Mississippi Department of Education (MDE) – Textbook Office at (601) 354-7543 or write the Textbook Office and request the packet of bid materials.

1. **PROPOSAL FORMS** – Proposal forms must be submitted to the Textbook Office by 5:00 P.M. on the date designated on the **ADOPTION CALENDAR FOR PUBLISHERS**. Proposals received after this time will not be accepted. Twelve copies of each proposal form must be filed. A set of instructions will accompany the proposal forms in the bid packet. These instructions should be followed closely. In the completion of the proposal forms, publishers/vendors should take the appropriate measures to ensure that the textbooks being proposed are consistent with the requirements outlined in the appropriate **CURRICULUM FRAMEWORK FOR THE STATE OF MISSISSIPPI**. A vendor must specify hardware or special equipment needed to review any item included in a proposal. Affected vendors must loan the necessary hardware or special equipment to those State Rating Committee members when it is requested.

Textbooks will not be changed after the submission deadline from one committee area to another without written request from the publisher. No changes will be made in the submitted proposal forms after the training activities for the State Rating Committees have ended. Publishers submitting proposals on manuscript/galley proof must not make **\*substantive changes** (\*minimum changes that do not affect the compatibility of textbooks that a district may have in use-MDE reserves the right to review and grant permission before any change can be made) in the title or in the content of the textbooks or series or in the manuscript. Proposal forms must be submitted separately from the bid forms. Please keep in mind that a publisher may not bid a textbook that was not proposed; however, it is permissible to propose a book and not bid it. Proposal forms transmitted by any electronic means will not be accepted.

2. **BIDS** - Bids for textbooks previously listed on proposal forms must be submitted to the Mississippi Department of Education by 5:00 P.M. on the date designated on the **ADOPTION CALENDAR FOR PUBLISHERS**. No bids will be accepted after this time. Bids will be opened the next day as designated on the Adoption Calendar for Publishers. The bid shall be made in triplicate on the



Official Mississippi Textbook Bid Form following the format. **All bids must also be submitted on CD. Two copies on CD are requested.** Bids not following the format will not be considered. Bidders will quote their lowest net wholesale price, according to the provisions and under the conditions set forth in Section 37-43-23 of the Mississippi Code of 1972.

A textbook may only be proposed and bid in one category. Textbooks currently under contract in Mississippi should not be bid. Bids should not be submitted in the same package with the proposal forms. Bids transmitted by electronic means will not be accepted.

If a book/series is proposed and not bid, a letter must accompany the bid stating that the given book/series has been withdrawn.

Because we adopt the pupil edition, do not package or bundle any products with the pupil edition or with any other product.

If publishers/vendors are using a special type of package for the product, then describe the package as it must be a part of the bid and contract. The pupil edition and the teacher edition must not be a part of a package.

From January 1, until the start of the adoption process, sample boxes may not be shipped to districts. Sample materials may be requested in writing by the district superintendent, textbook coordinator and/or principal. Sample materials shall include the pupil edition, teacher edition, correlations and free with order list. A sampler may be used; however, it must have no retail value.

The Instructions and General Information for the completion of textbook adoption proposal and bid shall be considered as a part of the handbook and fully incorporated herein.

MDE reserves the right to reject the bid if terms are not easily interpreted.

**3. COMPUTER DISKETTES FOR BRAILLE TEXTBOOKS –**

Publishers/vendors must have available a hard copy and computer diskettes for Braille versions of literary and non-literary subjects according to the provisions and under the conditions set forth in Section 37-23-199 of the Mississippi Code of 1972. UPON REQUEST, PUBLISHERS/VENDORS MUST FURNISH, WITHIN TEN WORKING DAYS, A HARD COPY AND DISKETTES TO:

The Mississippi School for the Blind  
Mr. Kevin Klinard  
1252 Eastover Drive, Adm. Bldg. Room 300  
Jackson, MS 39211  
(601) 948-8207



4. **TEACHER EDITIONS** – Publishers/vendors with state-adopted textbooks are required to provide teacher editions, if published, to accompany the pupil editions requisitioned by the school district. One teacher edition per certified teacher per classroom is required. This requirement includes special education teachers, advanced placement teachers and alternative teachers.
5. **ANCILLARY MATERIALS** – Publishers/vendors submitting products for adoption that are routinely sold to accompany the student textbook shall state on the proposal and bid forms the non-escalating price at which the ancillaries will be sold. These may be purchased through their Mississippi depository for the duration of the textbook contract. In districts where terminal servers are used, a site license must be provided to the school district at no extra charge. Schools should be aware of the minimum specifications of the hardware and be aware that not all software is compatible with all systems. Schools will be responsible for any technical support and any additional costs incurred in order to utilize software being provided.
6. **FREE MATERIAL** – Publishers/vendors that wish to make free materials (e.g., correlation, ancillary materials, supplementary materials, etc.) available to school districts in Mississippi must state their intentions to do so on their statement of free materials form. The conditions under which these materials will be available to the schools must be clearly stated on the bid form. Publishers may not offer options on free materials as part of their bid. If publishers have electronic items that are available in audiocassette, CD ROM, or DVD they may offer the different formats so that districts may select the preferred format. MDE reserves the right to reject this portion of the bid if terms are not easily interpreted. Publishers/vendors **WILL NOT** be permitted to give away or promise free material not certified on their bid form. No changes in the free materials list will be permitted after the bid's due date. All free material provided by publishers/vendors, **EXCEPT TEACHER EDITIONS**, must be shipped at publishers/vendors' expense. **PUBLISHERS/VENDORS WILL BE REQUIRED TO PROVIDE ALL LISTED FREE MATERIAL IN ACCORDANCE WITH THE TERMS AND CONDITIONS INCLUDED ON THE BID FORM.** Publishers/vendors who bid free material to be given per student textbook every year for the life of the contract should remember that some schools have four by four schedules. In this case the free material must be given to the school each time they teach the course.
7. **OFFICIAL EXAMINATION COPY** – An official examination copy, **both pupil edition and teacher edition**, of each textbook for which a bid is submitted must be filed with the MDE by the date designated on the **ADOPTION CALENDAR FOR PUBLISHERS**. All textbooks furnished under the contract shall, at all times, during the existence of, be manufactured equal to, or in excess of, the Manufacturing Standards and Specifications for Textbooks established by the National Association of State Textbook Administrators.

First edition, first printing is defined as a new book, series or product that has been created and printed for the first time. Revised books with new copyrights and ISBN changes are not considered first edition, first printing books. State specific teacher editions that are customized from the national editions are not considered first printing, first edition books. The Textbook Office will review a new product to determine if the new product is a first edition, first printing.

Publishers submitting first edition, first printing textbooks or other products for review in the state must permanently mark all products. This includes the official examination copies and any other copies that come into the state as samples. Acceptable markings are:

- **Printing on the cover that states "Examination Copy: Not for Classroom Use,"**
- **Drill a hole in the upper right hand corner, or**
- **Cut the upper right hand corner at an angle.**

Special consideration may be given on an individual basis for different markings for first edition, first printing.

Each official examination copy must have a **removable label** with the following information in the lower right-hand corner:

- **Subject and Course**
- **Grade Level**
- **Complete Title**
- **Student Edition**
- **Publisher**
- **Copyright**
- **ISBN**

8. **FORM B and FORM M** – Each bidder shall place **inside the front cover of the OFFICIAL pupil examination copy**, a statement of warranty (FORM B or FORM M). The publisher/vendor shall certify warranty whether the textbook or media furnished will conform to the Manufacturing Standards and Specifications. **Do not file FORM B and FORM M with the bid or proposal.** Official pupil-sample copies received without a FORM B or FORM M inside the front cover will not be considered until a representative of the publisher/vendor correctly affixes the form. (NOTE: Publishers/vendors submitting galleys or manuscripts should attach a FORM B or FORM M based on the standards and specifications that the textbooks/media, when they are finished, will meet).
9. **CONTRACTS WITH THE STATE OF MISSISSIPPI** – The bidder, or bidders, to whom contracts are awarded, will be required to **provide three copies** of the Official Mississippi Textbook Contract without change, addition, or modification. Also, make and execute a good and sufficient bond (executed in triplicate, Mississippi Code Annotated 37-43-25) payable to the State of



Mississippi with a surety thereon. The amount of said bond as fixed by the State Board of Education is \$2,500 plus \$500 per title or grade level.

- 10. CONTRACTS WITH THE STATE OF MISSISSIPPI** – The bidder or bidders to whom contracts are awarded by the State of Mississippi shall be required to execute contracts with a publishers' depository in Jackson, Mississippi, for the distribution of adopted textbooks. **A STOCK OF TEXTBOOKS SUFFICIENT TO MEET ALL REASONABLE AND IMMEDIATE DEMANDS SHALL BE HELD AT A MISSISSIPPI DEPOSITORY.**

Publishers should submit for adoption textbooks that will be available in ample supply on July 1 of the year after the adoption. It is the responsibility of the publisher to meet with depository personnel prior to the implementation of the contract to ensure that adequate copies of the adopted textbooks are on hand at the depository to meet anticipated needs.

- 11. MANUSCRIPT/GALLEY PROOF** – If the finished textbook is not available by the date designated on the Adoption Calendar for Publishers, a publisher may submit a manuscript/galley proof. However, a bound official sample **SHALL** be filed with the Mississippi Department of Education by 5:00 P.M. on the day preceding the adoption declaration by the State Board of Education. Failure to meet this deadline will result in the textbook being removed from consideration for adoption. If the finished textbook becomes available after the manuscript/galley has been submitted, but before the presentation of the said textbook to the committee, the publisher's representative may hand deliver the finished textbook to the committee and pick up the manuscript/galley. When a manuscript/galley is submitted for review by the committee, no\*substantive changes (\*minimum changes that do not effect the compatibility of textbooks that school districts may have in use-MDE reserves the right to review and grant permission before any change can be made) may be made in the content.

- 12. ADOPTION PERIOD** – The contracts for textbooks for Mississippi are executed for five years, four years for computer education, with the option to extend the contracts annually for a maximum of two years on one-year basis (Mississippi Code Annotated 37-43-19 ). Textbooks adopted by the State Board of Education will go under contract the following July 1.

- 13. INAPPROPRIATE MATERIALS** – Textbooks that contain obscene, lewd, sexist or vulgar material; advocating prejudicial behavior or actions; encouraging acts determined to be anti-social or derogatory to any race, sex or religion will not be considered for adoption by the Mississippi State Board of Education.(Mississippi Code Annotated 37-43-31(5))

- 14. DURING THE ADOPTION PROCESS** – When a company has bid an item during the adoption process for sale or to be given with the product, it must sell

the product for the full catalog price. If the item is specific to the state, then it cannot be given or sold until after the adoption process is complete.

**15. CORRELATION TO THE MISSISSIPPI CURRICULUM FRAMEWORK -**

The correlation is required for each textbook/software product submitted for adoption consideration. The correlation must be in the format listed in the proposal/bid package. Eight copies must be provided to the Textbook Office on the date listed on the calendar.

**16. SUBSTITUTIONS DURING CONTRACT PERIOD –** The State Board of Education permits a publisher to substitute an updated copyright at any time after an adoption or during a contract period provided the following conditions are met:

- a. The substitution request is submitted in writing along with one copy of the revised student and teacher editions along with a revised FORM B or FORM M.
- b. The textbook is compatible and may be used in the same classroom as the previous copyright.
- c. There will be no price increase in the contracted amount.
- d. Publishers keep in print the original (old) copyright for an adoption and also make available the substitution (new) copyright so that either copyright can be available to the schools for purchase and flexibility. Exceptions will be made on a book-by-book situation especially in Advanced Placement (AP) courses.
- e. The new copyright must also have new teacher materials/resources or must be compatible with the old copyright.

**17. BID INFORMATION –** MDE reserves the right to distribute bid information in advance of the submission date for the proposals. **Any publisher/vendor wishing to propose and bid during the upcoming adoption must have a staff member from the contracts department receive and respond to notification and/or attend the meeting if applicable. The contract staff members receiving information or/either attending the bid meeting should not go into a school district and do not need to be certified.**

**18. BROCHURES –** If a company wishes to use a free with order brochure or a national brochure that describes the product in detail, the information listed in the brochure and the items on the bid must be the same. The products must be listed by the complete name. Do not change the names of products. It would be helpful to list the products on the bid and brochure in alphabetical order. The ISBN must be listed (in small but readable print) next to each item on the



brochure. All brochures will be reviewed and must come from the office of contracts. A draft of the brochure is acceptable for review provided changes are not made after the review.

**19. LEXILE READING LEVEL** The Mississippi Department of Education utilizes the Lexile Framework for Reading as part of the state assessment. In order to work with the system we strongly urge publishing companies to provide the Lexile Reading Level ([www.mde.k12.ms.us/lexile/](http://www.mde.k12.ms.us/lexile/)) for each title they submitted for adoption.

**20. VIOLATIONS** – If a publishing company violates any of the provisions of this section or any section of the Handbook, such publishing/vending company's textbooks may not be considered for adoption; or the State Board of Education may impose any other penalty deemed appropriate.

**B. PUBLISHERS' REPRESENTATIVES** – The State Board of Education has approved the following general information concerning representatives from the publishing companies:

**1. PUBLISHERS' EMPLOYEES** – No teacher in any of the schools of the state, no county or municipal superintendent of schools, and no person officially connected with the government or direction of any school shall, during the term of his office as said superintendent or during the time of his or her employment as teacher, act as agent or attorney for any textbook publishing company selling textbooks in this state. If, after election as county or municipal superintendent or employment as teacher, any person filling such position accepts the agency or attorneyship of any textbook publishing company, the acceptance of such agency or attorneyship shall work a forfeiture of the office or position as teacher held at the time of the acceptance of such agency or attorneyship. (Section 37-43-39 of the Mississippi Code of 1972, Annotated.)

**2. PUBLISHER REPRESENTATIVES** – Publishers/vendors will be limited to five representatives working in the state at any one time during an adoption. Teachers may not act as a publisher's representative.

**3. COLLEGE REPRESENTATIVES** – If a publisher has a college representative, this representative's activities will be limited to the college area unless he/she is one of the five representatives to work in the adoption. If the college representative works outside the college area that representative must be considered as one of the five working in the state.

**4. MANAGERS** – Managers may have consultations with the representatives during the adoption process. Managers that are in the state consulting with their representatives are not counted as one of the five representatives. However, if the manager calls on schools or attends the local hearings/caravan, he/she will be considered one of the five representatives.

**5. MEETINGS** - Sales Representatives from the companies that are participating in the adoption must attend the required meeting as listed on the Calendar. There will be a minimum of two planned meetings each year. Other meetings may be added as needed to conduct the adoption process.

**6. VIOLATIONS** – If a publishing company violates any of the provisions of this section or any section of the Handbook, such publishing/vending company's textbooks may not be considered for adoption; or the State Board of Education may impose any other penalty deemed appropriate.

**C. PUBLISHERS' REPRESENTATIVES AND STATE RATING COMMITTEES**

– The adoption process in Mississippi involves State Rating Committees in the evaluation and rating of textbooks as provided by law. Publishers/vendors may receive a listing of the State Rating Committee members at the site of the orientation session for State Rating Committee members or the Textbook Office.

**PRESENTATIONS**

1. Each publisher will be limited to one presentation with each State Rating Committee to which textbooks have been submitted, by the respective publisher, for adoption consideration. Each vendor must provide the necessary equipment that will be needed for making presentations to the State Rating Committee. Each publisher will be allotted fifteen minutes for presenting one book and ten minutes for each additional book or grade level. In no case will a publisher be allotted more than a total of sixty minutes for a presentation to any one committee. On the presentation day, a certified publisher representative will be available for one designated hour for contact via telephone by State Rating Committee members to ask questions for clarification. A maximum of 10 minutes will be allowed for each representative to answer questions of the State Rating Committee.
2. **NO** presentations are to be made to the State Rating Committee members on an individual basis unless approved by the Director of Textbooks. **PUBLISHERS ARE NOT PERMITTED TO HAVE ANY CONTACT WITH STATE RATING COMMITTEE MEMBERS UNTIL THE AUTHORIZED DATE FOR PRESENTATIONS. TELEPHONE CALLS, PERSONAL VISITS, WRITTEN CORRESPONDENCE, AND COMMUNICATION THROUGH THIRD PARTIES WITH COMMITTEE MEMBERS ARE STRICTLY PROHIBITED.**
3. During the state rating committee presentations, the features and benefits of the pupil edition, teacher edition and ancillary materials/supportive materials may be displayed and discussed within the allotted timeframe.
4. The materials that a publishing company submits for adoption must provide comprehension coverage of the course content as outlined in the State



Curriculum Framework and meets 80% of the mandated competencies. Therefore a correlation to the curriculum framework is required and must be submitted to the Textbook Office on the date listed on the calendar as a part of the bid package. Eight additional copies of the correlation must be mailed to the Textbook Office according to the date on the calendar.

5. It should be noted that individuals serving on the State Rating Committees do so at great personal sacrifice and for absolutely no remuneration. Certainly, each committee member is devoted to making a professional contribution through the extensive review and subsequent rating of textbooks to be placed on the state-adopted list. Publishers/vendors taking issue with the ratings assigned to their textbooks by an individual committee member should discuss this matter with the Textbook Director in the MDE. Indeed, it is highly unethical and unprofessional to confront members of State Rating Committees regarding poor or no ratings. Therefore, publishers/vendors **MUST** refrain from taking such action after the announcement of the adoption results.
6. Each publisher shall furnish the Textbook Office on the specified date, a copy of a one-page, one-sided, 8 1/2" x 11", 3-hole punched sheet of features, benefits and any other important information about the book/series being considered for adoption.
7. If a publishing company violates any of these provisions, its textbooks may not be considered for adoption; or the State Board of Education may impose any other penalty deemed appropriate.

**D. FORMAL ADOPTION BY THE STATE BOARD OF EDUCATION** – There will be no formal adoption hearings by the State Board of Education with publishers/vendors' representatives. The results of the Board's adoption will be available in the Textbook Office the day following the Board Meeting when the textbooks are adopted.

**E. ADOPTION PROCEDURES ASSISTANCE** – Many publishers/vendors have participated in several textbook adoptions in Mississippi through the years and consequently are quite familiar with the adoption procedures. However, there will be some that may not be totally familiar with the adoption procedures. Publishers/vendors with questions regarding the appropriate procedures to be followed are encouraged and requested to contact the Textbook Office at (601) 354-7543 for any assistance that may be needed.

## **II. OFFICIAL EXAMINATION COPIES**

**A. OFFICIAL EXAMINATION COPIES FOR THE TEXTBOOK OFFICE** – Each publisher/vendor must provide the Textbook Office with one set of official examination copies of the textbooks being proposed and bid. Only the pupil edition and teacher edition should be sent (**ancillary material should not be sent**). These

examination copies should be received by the date designated on the Adoption Calendar for publishers/vendors. If a finished textbook is not available by this date, the publisher should submit a manuscript or galley proof. Official Textbook Office copies must be shipped directly to the office and the address listed in the front of the handbook.

Publishers/vendors submitting textbooks for adoption **MUST** supply/furnish the following:

**Seven sets** of official textbooks samples (pupil editions and teacher's editions, correlations and feature and benefits) of each textbook proposed and bid for distribution to the State Rating Committees for their review as part of the evaluation and rating process must be sent for each committee area in which textbooks are submitted. Publishers/vendors **must not** include ancillary materials with the examination copies going to the committees, or with the one set of pupil and teacher editions sent to the Textbook Office at the MDE.

**Eight sets** of textbooks for display in the university libraries shall be shipped to the publisher's Mississippi depository. Each publisher must send two copies of the packing slip listing public and teacher editions sampled for each committee to the Textbook Office. A set of examination copies will be shipped to each of the eight institutions of higher learning. Textbooks should be placed in the reserve section of the library or a location accessible to the public for evaluation. The textbooks should remain on display for the life of the adoption. At the end of the adoption process, these sets of materials shall be shipped to the depository.

**One** official examination copy of the student and teacher edition of each textbook submitted for consideration for adoption shall be submitted to the Textbook Office, 500 Greymont Avenue, Suite G, Jackson, Mississippi 39202. **DO NOT SUBMIT ANCILLARY MATERIALS.** If the finished textbook is not available by the date designated on the Adoption Calendar for Publishers, a publisher may submit a manuscript/galley proof. However, a bound official sample **SHALL** be filed with the Mississippi Department of Education by 5:00 P.M. on the day preceding the adoption declaration by the State Board of Education. Failure to meet this deadline will result in the textbook being removed from consideration for adoption.

**NOTE – No examination copies submitted by the publisher for review by the State Rating Committees may be returned to the publisher. Examination items having resale value will be sold either to the depository or on the secondary market with all proceeds being deposited in the State Treasury Fund and credited to the State Textbook Fund as authorized by law.**

**B. OFFICIAL EXAMINATION COPIES FOR STATE RATING COMMITTEES**

– Examination copies for the State Rating Committees will be shipped from the publishers/vendors' depository on the day the adoption-procedures meeting concludes. Preliminary review of the examination copies by the committees will



occur during the period from the conclusion of the procedures meeting until the start of the presentations without any publisher input and involvement. Committee members will be asked to notify the Textbook Office prior to the start of the publishers/vendors' presentation period if any examination copies have not been received.

Listed below are steps that are to be taken by the publishers/vendors to ensure the delivery of the examination copies to the committee members and the return of the required examination items to the publishers/vendors' depository:

1. Publishers/vendors **MUST** have all examination copies in its Mississippi depository by the date designated on the ADOPTION CALENDAR FOR PUBLISHERS. Publishers submitting online products must provide product/password to the State Rating Committee member and must follow the same shipping instructions.
2. This material **MUST** be packaged according to committee. (**Example: Mathematics K-6 Committee, Mathematics 6-8 Committee, Mathematics 9-12 Committee** )
3. The examination materials should be shipped in consumable packaging with one address label to the publishers/vendors' depository and one committee label exactly as the "Call for Bid" is written. (Example: Agriculture (Vocational) 9-12). If a publisher has more than one package per committee member, the package should be marked 1 of 3, 2 of 3, etc.
4. It is imperative that the examination material be packaged for individual committee members (seven members per committee). Therefore, the publisher must ship seven individual packings of each complete sampling. (Example: seven packings per Mathematics K-6, seven packings for Mathematics 6-8, etc.)
5. Each publisher must send two copies of the packing slip listing pupil and teacher editions sampled for each committee to the Textbook Office at the MDE. (Example: two packing slips for Mathematics K-6, two packing slips for Mathematics 6-8, etc.)
6. The importance of the cartons being marked to indicate the proper committee cannot be overly stressed. These cartons **MUST BE CLEARLY MARKED** to indicate the committee to which they are to be shipped from the publishers/vendors' depository. (Example: Science 6-8) Remember, if there are several boxes in the shipment for a committee, to please mark it in a manner so that the depository will be able to determine when the shipment is complete. (Example: Foreign Language – K-12, 1 of 4, 2 of 4, etc.)
7. Correlation to the curriculum framework and the features and benefit pages should be included in the official state rating committee shipment of products.

8. Each publisher will ship eight additional copies to the publisher's Mississippi depository. These eight additional sets will be treated as the State Rating Committee samples. A set of examination copies will be shipped to each of the eight institutions of higher learning. Textbooks should be placed in the reserve section of the library or a location accessible to the public for evaluation. The textbooks should remain on display for the life of the adoption. At the end of the adoption process, these sets of materials shall be shipped to the depository.

### **III. SCHOOL SAMPLES/AWARENESS SESSIONS/PILOTS/CONFERENCES**

- A. Request for samples other than the current adoption year cycle can be made to the publisher. During the time frame listed on the calendar, the only samples that may be shipped to local schools are pupil editions and teacher editions, which may also include a correlation, ancillary list, and a price list. Before any complimentary product is shipped, a written request should be received from the textbook coordinator/principal. During this period, kits and other types of material may be shown but not given to individual schools. After textbooks have been officially adopted, the only samples that may be shipped to local schools are pupil editions and teacher editions, which may also include a correlation, ancillary list, and a price list. This applies to current-year adopted materials only. Non-Adopted materials may be sampled upon request.
- B. Publishers/vendors may conduct awareness sessions. A school or district may invite a publisher to its district to present materials provided it is held during the period before the State Board of Education adoption. The meeting will be held on governmental property and only light refreshments can be served. Prudent judgment is utilized in the selection of the menu items for breaks. The per participant daily cost for breaks shall not exceed \$3.00 per day –MDE Purchasing Policies Section 16.0). The district invitation/approval must be in writing. Publishers may send letters offering to provide awareness sessions.
- C. Between July 1 and June 30 of the current adoption year, pilots will not be allowed in the local school districts for the materials being adopted.
- D. The following rules must be observed if a publisher participates in or sponsors a conference:
  - The conference program should indicate if the publisher is sponsoring the conference.
  - If a publisher sponsors a conference during the local hearings/caravan, the publisher may not attend the meeting or exhibit.
  - A publisher may provide sample products not currently being adopted.



- During the no contact period, a publisher cannot take an individual or group from a school district to a meal before, during, or after the conference.

#### **IV. PUBLISHERS AND LOCAL HEARINGS**

##### **A. TIME BETWEEN STATE ADOPTION AND LOCAL-TEXTBOOK HEARINGS**

In order for the local textbook selection process to flow in a smooth and orderly fashion, the following procedures will be adhered to during the time period after the adoption by the State Board and prior to the local textbook selection hearings. Hopefully, these procedures will help reduce problems created in the schools by publishers distributing excessive copies of examination textbooks. Also, the requirements included in this section will help provide equal opportunities for all publishers/vendors and maintain desired savings to the state textbook program and local-school districts in getting all examination copies returned.

1. During this period after the adoption by the State Board, individual publishers/vendors may provide examination copies of pupil edition and teacher's edition for local selection committee members. In some cases examination copies will not be possible because of the nature of the adopted material. Publishers/vendors may make available examination copies based on their individual products and budgets.
2. Publishers/vendors having textbooks adopted by the State Board of Education will receive a listing of each of the school districts (**FORM C**) participating in the textbook program. This listing will provide the name and shipping information for the person receiving the official examination copies. This information will be sent to the local representative by e-mail and/or mail once the adoption listing is released. Each school shall receive no more than one set of a complete product. The pupil edition, teacher edition, correlation, list of free materials, and price list for each grade level will be considered the official examination copy. Each textbook and each consumable packaging shall contain a removable label that states **Local Selection EXAMINATION COPY**, plus grade level/instructional category in which the textbook has been adopted. ("Product(s) sent to the State Rating Committee member and/or Local Selection Committee. These materials must be returned to School Book Supply Company of Mississippi. Passwords for online curriculum will expire after the adoption process.") All textbooks should be shipped in a consumable package, not weighing more than 25 pounds, and should not be placed in sample boxes or display boxes.

Each district will have the choice of the following two options to receive its official examination copies: Option #1 – One complete set sent to the central office with only one contact person. Option #2 – One complete set sent to the schools of their choice with only one contact person per school.

3. All examination copies received at the local level are to be returned to the Mississippi depository, freight collected, and **MUST NOT BE DESIGNATED AS COMPLIMENTARY COPIES. Each book/product and the outside of the box must have a removable label that gives the grade level and instructional category that the book /product has been adopted.**
4. The Textbook Office will inform all local selection committee members and district superintendents that **all examination copies must be returned.** If the examination copies are not returned, the district will be charged for them.

NO EXAMINATION COPY MAY BE GIVEN TO SCHOOL PERSONNEL DURING LOCAL HEARINGS, NOR WILL COMMITTEE MEMBER OR SCHOOL PERSONNEL BE PERMITTED TO KEEP OFFICIAL EXAMINATION COPIES. Teachers will be advised that textbooks are not to be numbered, marked in any manner, or issued to students. All superintendents will be notified by the Textbook Office of the procedures to be followed for the return of the examination copies. Publishing companies, their local representatives, and the Mississippi depository will make the determination if textbooks have been returned to the depository. It will be their responsibility to furnish the Textbook Office a listing and cost of textbooks not returned from each school district. This information must be filed no later than twelve months after the adoption date. This listing is necessary for the Textbook Office to debit the district allocation for the textbooks not returned from nonpublic schools and report to public school districts the amount of payment due to the respective publishers/vendors.

5. During the period between the state adoption and the local hearings, no pupil editions or teacher editions may be given to individuals or schools (other than local selection committee members). Promotional material may be given freely in conferences with local school districts and local selection committee members. During the time period after the adoption by the State Board and 35 days after the conclusion of the local hearings, **ONLY** individuals serving as local selection committee members may receive examination copies. During this period after the adoption by the State Board and the end of the no contact period, gifts, bags, etc. may not be given to school personnel. The only items to be given are the printed promotional materials.
6. If a district requests in writing to the Textbook Office, the 35 day no contact period may be waived.



7. From the start of the adoption process to the 35 days after the conclusion of the local hearings/caravan, there will be **NO** more than five representatives working in the state for the promotion of the newly-adopted material and routing, selling and servicing of other material.
8. From the start of the adoption process to the 35 days after the conclusion of the local hearings/caravan, publishers/vendors must not hold awareness meetings or other types of group meetings. A publisher may make one-on-one teacher calls.
9. If a publishing company violates any of the above provisions, its textbooks may be removed from the state-adopted list; or the State Board of Education may impose any other penalty deemed appropriate.

## **B. REGULATIONS FOR LOCAL HEARINGS/CARAVAN**

1. Local textbook selection hearings/caravan will be conducted at designated sites throughout Mississippi.
2. During the local selection hearings, publishers'/vendors' representatives with newly adopted materials are not to call on school systems for any reason without prior approval from the Textbook Director. Requests must be made on a school-by-school basis for justifiable reasons. If a publishing company violates any of the provisions of this section regarding the participation in the local textbook selection hearings, the publishing/vending company's textbooks may be removed from the adopted list, or the State Board of Education may impose any other penalty deemed appropriated. The above regulations apply to those participating in the local hearings/caravan.
3. Publishers/vendors with textbooks adopted by the State Board shall indicate their intentions to participate in the local textbook hearings no later than the designated date. **Publishers must participate at all sites.** A form will be provided on the date of the adoption on which each publisher must indicate its desires regarding participation. Failure on the part of the publisher to meet this deadline will result in the publisher not being allotted any time in the hearing schedule for the presentation of adopted textbooks.
4. Schedules for local textbook selection hearings giving the presentation time for each participating publisher will be available after the adoption by the State Board, giving MDE personnel sufficient time to develop the schedule after all publishers/vendors have indicated their intentions relative to participating in the local hearings.
5. A representative from the Textbook Office will be in charge of the hearings and will be assisted by local-school staff and the president of the Mississippi Publishers' Association.
6. If it becomes necessary to postpone and reschedule one or more hearings because of inclement weather or uncontrollable factors, all local selection hearing restrictions will

remain in effect until 35 days after presentations for which local textbook hearings are held.

7. In January, before the local hearings, an example of the items that will be given to the teachers who attend the hearings must be given to the Textbook Office.
8. Only the newly adopted materials will be presented during the local hearing. No other products may be shown or discussed.
9. During the local hearings only the pupil and teacher editions will be shown. The display of ancillary materials will be allowed. Discussion may include ancillary materials, pupil editions and teacher editions within the allotted timeframe. The publisher may distribute the free with order brochure.
10. Should a local school district choose not to participate in an adoption, publishers may not call on that district regarding the State Board adopted products until the last 35-day period of no contact has expired, unless the district requests in writing to the Textbook Office that publishers be permitted to work in the district.
11. Should personnel from one school district attend more than one local adoption hearing, the 35-day period for that district will begin following the hearing that was last attended. For example, school district "A" attends the hearing on February 3 and 20. The 35-day period will begin after the hearing on February 20.
12. During the specified period as listed in the calendar, no contacts are permitted by publishers/vendors with school districts until 35 days after presentations for which local textbook hearings are held (See Publisher's Calendar). If a publishing company violates this provision of no contact following the local hearings, company's textbooks may be removed from the adoption list or the State Board of Education may impose any other penalty deemed appropriate.
13. Textbook selection ballots are due 35 days from the date of the hearing attended by the local textbook selection committees for the respective districts. The selection results will be emailed to local publisher's representatives on a regular basis as results become available.
14. After the adoption, the publishers will be sent a form for the representative to indicate if they wish to receive the local adoption results from the Textbook Office. The form will have a due date listed on the calendar for the publishers. The Textbook Office will report the local adoption results by email on Friday afternoon of each week. The local district reports will be available for review on a daily basis from 2:00 P.M until 4:00 P.M. in the office. The staff of the Textbook Office will not give results of a local adoption over the phone.

C. **LOCAL SELECTION COMMITTEE EXAMINATION COPIES AND THEIR RETURN**

1. The Textbook Office will provide the name of the person in each school district that is to receive the Official Examination Copies. When possible a list of local selection committee members for each district will be provided.
2. The publisher should send to the Textbook Office a list of local committee members and the titles of examination copies that have been shipped to them.
3. A copy of company's packing slip listing all official examination copies shipped shall be sent to local textbook coordinators by the time the caravan starts.
4. As stated previously in the handbook, all examination copies will be returned to each publisher's Mississippi depository after the local-selection process. These examination items will be returned at publishers'/vendors' expense. Publishers/vendors must notify the depository of the proper steps to take in the disposition of their local examination copies.
5. We encourage districts to return all local selection committee examination copies by June 1 of the year of the adoption.
6. Publishing companies, their local representatives, and the Mississippi Depository will determine the procedure for returning textbooks to the depository. It will be the publishers'/vendors' responsibility to furnish the Textbook Office a listing by title and cost for each district that has failed to return examination copies distributed to schools as a part of the local selection process. This listing is necessary for the office to report to the districts the amount of payment due for textbooks not returned.
7. In order to help differentiate between local selection examination copies and samples previously sent on a random basis, publishers/vendors **MUST** mark on each carton "**LOCAL SELECTION EXAMINATION COPIES.**" Textbook adoption procedures do not permit the distribution of complimentary adoption samples during the period after the adoption by the State Board through the conclusion of the local hearings. **PUBLISHERS/VENDORS ARE NOT TO MARK THE EXAMINATION COPIES AS BEING COMPLIMENTARY.**



**MISSISSIPPI  
2007-08 ADOPTION CALENDAR FOR PUBLISHERS**

**Disclaimer: This calendar is only a quick reference for dates and is subject to change.  
For complete and total information, please refer to each section of the Handbook.**

<b>DATE</b>	<b>ACTIVITY/DEADLINE</b>
<b>January 1, 2007</b>	Sample boxes <b>may not be shipped</b> to districts. Sample materials may be <u>requested in writing by the district superintendent, textbook coordinator and/or principal</u> . Sample materials can only include the pupil edition, teacher edition, correlations and free with order list. A sampler may be used; however, it must have no retail value.
<b>August 20, 2007</b> <b>August 27, 2007</b>	Advertisement for bids and proposals forms will appear in the local newspapers. Proposal and bid information will be mailed to publishers/vendors with current contracts and to other publishers that so request.
<b>September 5, 2007</b>	<b>Mandatory</b> orientation session will be conducted at a place in Jackson, Mississippi, to be announced. At least one employee, agent or representative from each publisher/vendor that will be working the state adoption must attend.
<b>September 10, 2007</b>	<b>Proposals Forms</b> are due in the Textbook Office from participating publishers/vendors no later than 5:00 p.m.
<b>September 21, 2007</b>	<b>Three hard copies and two CD copies of the bids</b> for textbooks being submitted for consideration for adoption are due in the Textbook Office by 5:00 p.m.
<b>September 25, 2007</b>	Opening of textbook bids in the Textbook Office at 10:00 a.m.
<b>September 27, 2007</b>	Examination copies of all textbooks to be submitted for consideration for adoption are due at each publisher's Mississippi depository. <ul style="list-style-type: none"> <li>• <b>Seven sets</b> of textbooks (pupil editions, teacher's editions, correlations, and feature and benefits) must be sent for each committee area in which textbooks are submitted and <b>eight sets</b> of textbooks for display in the university libraries shall be shipped to the publisher's Mississippi depository. Each publisher must send two copies of the packing slip listing pupil and teacher editions sampled for each committee to the Textbook Office.</li> <li>• One official examination copy of the student and teacher edition of each textbook submitted for consideration for adoption shall be submitted to the Textbook Office, 500 Greymont Avenue, Suite G, Jackson, Mississippi 39202. <b>DO NOT SUBMIT ANCILLARY MATERIALS.</b></li> </ul>

DATE	ACTIVITY/DEADLINE
<b>September 28, 2007</b>	<p>Orientation sessions will be conducted at a place to be announced in Jackson, Mississippi, for the State Rating Committee members. At this time, affected vendors must also make arrangements with each committee member that does not have access to the necessary hardware or special equipment needed to review their programs.</p> <p>Listing of the names of the State Rating Committee members will be released to the public.</p> <p>Examination copies for the State Rating Committees will be shipped from each publisher's depository to the individual members.</p> <p>The free-with-order information sheet or brochure is due in the Textbook Office. The brochure must be in the final form. After the brochure/information sheet is approved, no changes may be made. Please make sure that the free-with-order list matches the bid.</p>
<b>September 28, 2007 - December 14, 2007</b>	<p>During this period, no contacts are permitted between the publishers/vendors and State Rating Committee members except for the authorized date for presentations.</p> <p>State Rating Committee members will individually review the textbooks submitted for consideration for adoption.</p>
<b>October 9-12, 2007</b>	Textbook presentations will be conducted by publishers/vendors to the State Rating Committee members at a place to be announced in Jackson, Mississippi. A definite presentation schedule will be released once the proposals are received. It is anticipated that most committees will need two days to hear the presentations from the publishers/vendors.
<b>November 2, 2007</b>	State Rating Committee member <b>ballots</b> are due in the Textbook Office.
<b>December 13, 2007</b>	<u>A bound official sample of each textbook submitted for adoption SHALL be on file in the Textbook Office, 500 Greymont Avenue, Suite G, Jackson, MS 39202, by 5:00 P.M.</u> Failure to comply with this deadline may result in the textbook not being considered for adoption regardless of the rating received.
<b>December 14, 2007 State Board of Education Meeting</b>	<p>Adoption will be made by the State Board of Education. The adoption results will be available at 2:00 p.m., in the Textbook Office, Jackson, Mississippi. From this day until 35 days after the conclusion of the local hearings/caravan/caravan, <b>ONLY</b> individuals serving as local selection committee members may receive the official examination copies.</p> <p>A listing of the local selection committee members (Form C) will be distributed to each publisher with textbooks adopted in 2007.</p>
<b>December 17, 2007</b>	The form designating the intention of the publisher to participate in the local hearings/caravan is due to the Mississippi Department of Education, P. O. Box 771, Jackson, Mississippi 39205-0771.
<b>January 4, 2008</b>	One copy of all items that will be given during the local hearings/caravan is due in the Textbook Office. Materials not submitted to the Textbook Office on this date can not be given to local committee members during the caravan.

DATE	ACTIVITY/DEADLINE
January 30, 2008	Orientation session will be conducted at a place to be announced for at least one certified employee, agent, or representative from each publisher/vendor that will be working the local selection hearings.
January 31, 2008 - February 24, 2008	Local-selection hearings are conducted at regional sites throughout Mississippi. Sites will be announced at a later date. <b><u>Publishers must participate at all sites.</u></b>
January 31, 2008 - April 1, 2008	During the specified period, no contacts are permitted by publishers/vendors with school districts until thirty-five days after presentations for which local-textbook hearings are made.
March 24, 2008 – April 14, 2008	Listing of selections of textbooks from the adopted list is due from local districts 35 days from date of local hearings/caravan. Selections by the local school districts will be updated daily. Publishers/vendors will be e-mailed the selection results periodically. <b>PLEASE DO NOT CALL THE OFFICE FOR A PERIODIC UPDATE.</b>
July 1, 2008	Textbooks adopted in December 2007 <b>MUST</b> be available for shipment from each publisher's depository. Publishers/vendors are reminded that textbooks that will not be available on July 1 <b>SHOULD NOT</b> be bid.



## **MISSISSIPPI STATE ADOPTION RATING COMMITTEE PROCEDURES**

### **INTRODUCTION**

According to the Mississippi State Textbook Law, one of the duties of the State Rating Committees is to appraise and recommend to the State Board of Education textbooks for use in the schools of the state. It is evident that the task of the rating committee in the adoption process is quite important. The task is made more complex by the fact that each committee member appraises and rates textbooks as an individual rather than as a group. For this reason, appointments to the State Rating Committees are made on the basis of competence in the subject areas to be adopted. Expertise and the use of appropriate evaluative criteria are quite necessary in order of the State Rating Committees to accomplish their mission in an adoption.

### **I. PROCEDURES FOR STATE RATING COMMITTEES**

#### **A. GENERAL INFORMATION**

1. The first duty of the State Rating Committee members will be to attend the adoption procedures meeting in Jackson on the designated date of each adoption year. This meeting will be for organizational and training purposes. A second meeting will be conducted after each committee's review of the textbooks for the purpose of hearing publishers'/vendors' presentations of the textbooks under consideration for adoption. The schedule and the dates for these presentations are outlined elsewhere in this handbook.
2. Sessions will be held that involve individual committees, as well as meetings of all committees in a large-group setting.
3. Examination copies of textbooks will be shipped to rating committee members immediately after the adoption-procedures meeting. Therefore, committee members should start receiving shipments shortly after arriving home from the adoption-procedures meeting.
4. For more detailed information regarding the adoption process, each State Rating Committee member is encouraged to review and study the "Question and Answer" document received at the time notification of appointment is made by the Textbook Office.

## **B. APPOINTMENTS AND PRESENTATIONS**

1. After a review period as outlined elsewhere in this handbook, each State Rating Committee will be required to attend a meeting in Jackson to listen to presentations from each of the publishers/vendors submitting textbooks for consideration for adoption.
2. Each respective publisher will be limited to one presentation with each State Rating Committee to which textbooks have been submitted for adoption consideration. Each publisher will be allotted fifteen minutes for presenting one book and ten minutes for each additional book. In no case will a publisher be allotted more than a total of sixty minutes for a presentation to any committee.
3. As noted in item A.3 above, examination copies, provided by the publishers/vendors, will be shipped from the publishers' Mississippi depository. **All pupil and teacher editions** are to be returned to each publisher's Mississippi depository. Instructions for the return of these textbooks are given later in this part of the handbook.
4. Each rating committee member should check the textbooks received against the textbooks listed on the proposal forms that he/she received at the adoption-procedures meeting. Each member should notify the Textbook Office at (601) 354-7543 of textbooks not received by the date specified on the adoption calendar. It is most important that each committee member have access to all textbooks being submitted for adoption in the member's subject area prior to the start of the publishers'/vendors' presentations. A reply form stating that all textbooks have been received should be faxed to the Textbook Office as soon as all textbooks have been received.
5. Publishers/vendors are not permitted to conduct any presentations or have any contacts with State Rating Committee members between the announcement of the committee appointments and the start of the presentations. Committee members are encouraged and urged to report in writing any representative of publishing companies guilty of violating this regulation.

## **II. TEXTBOOK SELECTION; GOALS AND RATING CRITERIA**

- A. **GOALS FOR SELECTING TEXTBOOKS** – Even though Mississippi educators have made great strides in recent years in defining the material to be taught in the classrooms of the state, one readily realizes the importance of the textbook in the implementation of the instructional program. For this reason, the State Rating Committee member is once again reminded of the monumental task that he/she is facing in the adoption of textbooks. As a result of the evaluations and ratings made in the adoption process, individual rating committee members will have an important responsibility in determining which textbooks will be used by thousands of



Mississippi students and teachers during the next five to six years. Certainly, each committee member must realize that his/her involvement in the adoption process will have a far-reaching influence upon the students of this state. Therefore, the general goal of each committee should be to select textbooks of the highest quality. In addition to the goal of quality, there are some specific objectives that should be considered in the evaluation and rating process:

1. **INNOVATION** – To select textbooks that can be helpful in bringing about improvements in content, organization, and teaching methods.
2. **UP-TO-DATE CONTENT** – To select textbooks that help ensure accurate and up-to-date content through the inclusion of new concepts, insights, and facts.
3. **PROVISION FOR INDIVIDUAL DIFFERENCES** – To select textbooks that stimulate pupils regardless of ability and backgrounds.
4. **GRADE-TO-GRADE DEVELOPMENT** – To select series of textbooks that provide for growth from grade to grade when it is appropriate.
5. **CURRICULUM FRAMEWORK CORRELATION** – To select textbooks that best correlate and match the requirements of the CURRICULUM FRAMEWORK FOR THE STATE OF MISSISSIPPI.
6. **INSTRUCTIONAL ASSISTANCE** – To select textbooks with practical supplementary aids for teachers. At the same time, raters should not be unduly influenced in their ratings by publishers/vendors that may be offering large quantities of complimentary auxiliary materials in an effort to promote their textbooks/series.

#### **B. RATING CRITERIA – GENERAL INFORMATION**

Criteria of a general nature should be used to evaluate each textbook submitted for adoption. Some of these criteria include the following:

1. The author should have had training and experience in the field about which he/she is writing. The style should be smooth, readable, clear, and dynamic without sacrifice of content. (If the evaluator cannot locate information on the author, ask the publisher representative when the textbook is presented.)
2. When it is applicable, each text should have a complete table of contents, a preface, effective summaries, reviews, evaluative materials, a glossary, a bibliography, and a complete index arranged for easy reference.
3. The scope and sequence of material should be consistent with the valid findings of recent research. The subject matter should be meaningfully related to pupil needs, experiences, interests, and levels of comprehension.



4. Whenever it is applicable, the content of texts should assure that the contributions of all ethnic groups at different socio-economic levels receive fair and equitable treatment.
5. Vocabulary, sentence and paragraph structure, and concept levels should be suitable for the age group that will use the text.
6. Maps, graphs, charts, photographs, lined drawings, and other graphic representations should be related functionally to the content of the text. Illustrations should extend and expand the text, not merely echo what has been said in print.
7. Each text should either contain appropriate suggestions for teachers or be accompanied by a separate teacher manual.
8. The format of each textbook should facilitate the use of the text. The size of type, spacing, and margins should ensure maximum legibility.
9. Suggested exercises and activities that help the student to synthesize, review, and summarize the content should be included.
10. The content of each text should be accurate, valid, up-to-date and free of any errors.
11. Suggestions for study included in the text should not only promote an understanding of the materials presented but should also stimulate original thinking.
12. When it is appropriate, supplementary instructional material, such as suggestions for additional activities, recreational and vocational reading, student and class projects, audio-visual materials, software and web access should be included.

### **C. RATING CRITERIA: SUMMARY-EVALUATION FORM**

Throughout the adoption cycle of six years, textbooks will be considered for adoption in many instructional areas. A specific evaluative criterion that is applicable to all of the areas is difficult to develop. Therefore, an only criterion that may be useful, generally, is included in this section. If committee members have criteria for evaluating textbooks in their area of expertise, it is suggested these also be utilized in the rating process. The official summary-evaluation form will be included in the packet of material to be distributed to the State Rating Committee members at the adoption-procedures meeting.

### **III. RATING AND REPORTING PROCEDURES**

#### **A. INSTRUCTIONS FOR RATING TEXTBOOKS**

1. Publishers' representatives are only permitted to make presentations to State Rating Committee members during a designated time period as stated elsewhere in this handbook.
2. Rating committee reports will be given to each committee member at the time of the publishers' presentations. These are to be completed and mailed to the Textbook Office. The rating committee reports should be mailed to the Mississippi Department of Education far enough in advance to ensure delivery by the designated deadline. An example of a rating committee report is found elsewhere in this handbook.
3. Each committee member may recommend as many as eight textbooks in each category, if they are available. In some subject areas, there may be textbooks that cannot be recommended for various reasons, or there may be fewer than eight textbooks in a category. Only textbooks that can be effectively used and meet the definition of a textbook as defined by Mississippi Law should be recommended. The textbooks rated may receive a rating from one to eight, or in some situations, no rating. The book/series should be rated from the viewpoint of the State Rating Committee member. A point system is used in the rating process. **PLEASE REMEMBER EACH RATING COMMITTEE MEMBER RATES IN THE ORDER OF 1<sup>ST</sup>, 2<sup>ND</sup>, 3<sup>RD</sup> BASIS.** The eight textbooks or series receiving the highest cumulative total number of points will be recommended to the State Board of Education for adoption. This is based on the assumption that the textbooks with the highest points receive ratings from a majority of the committee members. If two or more publishers should tie for last place in the titles to be adopted in a particular category, the following procedure will be used to break the tie:
  - a. The textbook/series with the most recent copyright date will be accepted.
  - b. In the event both textbooks/series have the same copyright date, then the textbook/series with the lowest price will be accepted.
  - c. If this procedure fails to break the tie, then each publisher involved will be assigned three points for each first-place vote received, two points for each second-place vote received, and one point for each third-place vote received.
  - d. If this procedure fails to break the tie, additional factors as determined by the State Board of Education will be utilized to determine the publisher that should be placed on the adopted list.

- e. Textbooks are ranked by the committee members on an individual basis. The textbooks adopted by the State Board of Education are not rated in the order of 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>. Textbooks are rated in order to be placed on the state adopted list. Once textbooks are placed on the state adopted list, textbooks are all of equal rating. No publisher shall say that its product was ranked at any certain level by any State Rating Committee member.
4. Each committee member should take steps to ensure that the textbooks recommended are suitable for the areas or subjects in which they are proposed. Special consideration must be given to the content of the CURRICULUM FRAMEWORK FOR THE STATE OF MISSISSIPPI as decisions are made in the evaluation and rating process. There may be situations where the material may be excellent but not appropriate for the area proposed; and, consequently, the textbooks should not be adopted. Some textbooks may be too outdated, offered at a level beyond the intended use, or inappropriate as not meeting the definition of a textbook as defined by Section 37-43-1 of the Mississippi Code of 1972. In this case, the textbook should not be rated. The concern of the State Rating Committee should be content and instructional level. The State Board of Education will decide on the type binding to be accepted.
  5. Each member **MUST** attach a copy of the summary-evaluation form for each textbook or series evaluated to the rating committee report of the category. All textbooks or series evaluated must have the summary-evaluation form completed even if they are not in the top eight. Comments should be made on the back of each summary-evaluation form that might provide additional insight relative to the rating or non-rating of a particular textbook or series.
  6. In completing the rating committee reports, do not use "white-out" or erase/rub-out any ratings. If it is necessary to make any changes in your ratings, please secure a new form and place the ratings on the form as intended. Please be sure to sign each page of the rating committee report prior to submitting it to the Textbook Office.
  7. In some instances when a series is evaluated and rated, the basic series will be satisfactory; but some item or items should not be included for a definite reason. The committee member should state his/her objections on the summary evaluation form for the series and then indicate which textbook(s) should not be included in the rating.
  8. The rating committee member should review his/her duties prescribed in the law, Miss. Code Ann Sections 37-43-21.
  9. **STATE RATING COMMITTEE MEMBERS ARE MAKING SELECTIONS FOR ALL OF THE STUDENTS OF MISSISSIPPI.**



**B. INSTRUCTIONS FOR RETURNING EXAMINATION COPIES**

1. All pupil and teacher editions received for evaluation and rating as a State Rating Committee member must be returned. Please keep copies in good condition.
2. Each committee member will be responsible for preparing and packing securely the examination copies for shipment. When a committee member is ready to return their examination copies, each committee member will fill out the **REQUEST FOR PRE-PAID UNITED PARCEL SERVICE LABELS** and fax to (601) 352-0235, or mail the form to School Book Supply Company of Mississippi. Upon receipt, School Book Supply Company of Mississippi will forward to each committee member pre-paid United Parcel Service Authorized Return Service labels. Each committee member will attach a label to the top of each box, then give the package to any United Parcel Service driver or take to any approved United Parcel Service facility. Please return all textbooks by December 1.
3. If you need assistance, please feel free to call the Textbook Office at (601) 354-7543.

MISSISSIPPI DEPARTMENT OF EDUCATION  
Textbook Office  
P. O. Box 771  
Jackson, Mississippi 39205-0771

*Draft*

**MATHEMATICS K-6**

**STATE RATING COMMITTEE (Individual) REPORT**

**Note:** This report should be mailed to the Textbook Office on or before November 2, 2007.

If sufficient material is available, you may rate up to eight (8) books in the order 1st, 2nd, 3rd, 4th, 5th, 6th, 7th & 8th. Use each rating only once per instructional category.

**MATHEMATICS K-6**

RATING	PUBLISHER	TEXT/SERIES	GRADE/LEVEL	COPYRIGHT
	Harcourt School Publishers	Math Advantage Series K-6	1999	
	Houghton Mifflin Company	Houghton Mifflin Mathematics Series K-6	2002	
	Macmillan/McGraw-Hill School Division	Macmillan/McGraw-Hill School Mathematics Series K-6		
	Math Essentials	Mastering Essential Math Skills	2001	
	Prentice Hall, Inc.	Prentice Hall Connected Math Series	2001	
	Scott Foresman/Addison Wesley	Silver Burdett Ginn Mathematics Series	2001	

**CERTIFICATE**

I hereby certify that this report represents my individual recommendations after appraising all books offered for adoption as required by the Mississippi Textbook Law and submit it as a part of the records of the State Board of Education.

**FOR STATE RATING COMMITTEE  
MEMBER**

Signed

Date Submitted

**FOR OFFICE USE ONLY**

Date Received

Director

**MISSISSIPPI**  
**2007 ADOPTION CALENDAR FOR STATE RATING COMMITTEES**  
**Disclaimer: This calendar is only a quick reference for dates and is subject to change.**

<b>DATE</b>	<b>ACTIVITY/DEADLINE</b>
<b>September 25, 2007</b>	Orientation and training session for State Rating Committee members at a place to be announced in Jackson, Mississippi.  Examination copies will be shipped to the individual state rating committee members from each publisher's depository.
<b>September 25, 2007 - December 14, 2007</b>	No contacts permitted by the publishers with State Rating Committee members during this period except for scheduled presentations.  State Rating Committee members will individually review the textbooks submitted for consideration for adoption.
<b>October 1, 2007</b>	State Rating Committee members should notify the Textbook Director of any examination copies of textbooks that have not been received from the publishers' depository.
<b>October 9, 2007-October 12, 2007</b>	Presentations by publishers to State Rating Committee members at a place to be announced in Jackson, Mississippi.

Please see below a **tentative** schedule for each committee:

<b>DATE(S)</b>	<b>COMMITTEE(S)</b>
<b>October 9-10, 2007 Tentative</b>	<b>Mathematics K-6 Mathematics 6-8</b>
<b>October 10-11, 2007 Tentative</b>	<b>Mathematics 9-12 Driver's Education 9-12</b>
<b>October 11-12, 2007 Tentative</b>	<b>Business and Technology Education</b>

<b>November 2, 2007</b>	Rating reports are due from State Rating Committee members in the Textbook Office at the Mississippi Department of Education.
<b>December 14, 2007</b>	Adoption by the State Board of Education.



# MISSISSIPPI

## LOCAL TEXTBOOK SELECTION PROCEDURES

### INTRODUCTION

The textbook-adoption process is no stronger than the procedures utilized in each local-school district in the selection of textbooks from the list of state-adopted textbooks previously approved by the State Board of Education. This section of the handbook is designed to assist staff members at the local level in the selection process.

#### I. LOCAL-SELECTION COMMITTEES

- A. Even though the textbook-adoption process actually starts months earlier, the first action of the local district relative to the adoption occurs with the completion and submission of Form C.

Each district superintendent will receive a letter indicating the time to submit a Form C, which states names and shipping addresses of individuals, which are to receive the official examination copies. It is the responsibility of the committee members to review and evaluate textbooks that were adopted and make recommendations relative to the applicability in the local-school system. Only one set of materials per company may be shipped to a school.

- B. The duties and responsibilities of the Local Selection Committee members should be made clear at the time of the appointment by the local school district. Each member of the Local Selection Committee should be informed of his/her appointment no later than December 1.
- C. The completed Form C should be submitted electronically by the designated date so that the committee information can be compiled and distributed to the publishers/vendors at the announcement of the adoption.

#### II. DISTRIBUTION OF EXAMINATION COPIES

- A. A list of the Local Selection Committee members and any persons to receive textbooks for the district will be made available to the publishers/vendors with adopted textbooks after the State Board of Education has approved the list of recommended textbooks.
- B. Publishers/vendors with textbooks that were adopted can send examination copies of pupil edition and teacher edition (which also should include a copy of the correlation to the curriculum framework and a list of free materials) directly to the persons designated by the district. Publishers/vendors will be asked to label these copies as "**Local Selection Examination Copies**" so as to differentiate between samples that may have been distributed on a random basis prior to the

announcement of the adoption. Examination copies of textbooks, electronics, visuals, or auditory media may be provided in demonstration or representative format. **The label on the product and the box must also give the grade level/instructional category of the adopted product.**

**ALL EXAMINATION COPIES OF THE PUPIL EDITION AND THE TEACHER EDITION DISTRIBUTED TO THE LOCAL SELECTION COMMITTEE MEMBERS, AS A PART OF THE LOCAL SELECTION PROCESS MUST BE RETURNED TO SCHOOL BOOK SUPPLY COMPANY OF MISSISSIPPI.**

- C. Online companies sending products/passwords should do so for all committee members and all mailing instructions should apply.
- D. Boxes used to ship the local selection examination copies must contain a copy of the correlation to the curriculum framework and a list of free materials and must not weigh more than 25 pounds. The boxes should be consumable packaging.
- E. Local districts should receive the examination copies in January.

### **III. LOCAL TEXTBOOK SELECTION HEARINGS**

- A. A series of textbook selection hearings will be conducted at designated sites throughout the state. Local Selection Committee members, as well as other interested persons, are encouraged to attend one of the textbook hearings. Most of the publishers/vendors with textbooks recently adopted will be on hand to make presentations and answer questions pertaining to the newly adopted textbooks and related materials.
- B. A listing of the dates and locations of the hearings will be distributed in early January. Participants are encouraged to attend the presentation in their district. If participants are unable to attend their designated hearing, they may attend a hearing at another site.
- C. School districts are encouraged to participate in the local textbook selection process. It provides an excellent opportunity to see the textbooks presented and have an opportunity to ask questions.
- D. While adoption regulations do not specifically prohibit local school districts from conducting separate and individual hearings, the State Board of Education discourages the conducting of a similar hearing prior to the Local Selection Hearings. Additional hearings on the part of individual systems prior to the Local Selection Hearing could hamper the hearing process in the future.
- E. We would like to remind you that the State Board of Education policy states that after adoption in December until thirty-five (35) days after local hearings, publishers/vendors must not hold group meetings.



#### **IV. COMPLETION AND SUBMISSION OF THE TEXTBOOK SELECTION BALLOT**

- A. At a designated time after an adoption, each district superintendent will receive a textbook selection ballot on which to indicate the textbook selections that the district desires to utilize over the adoption period.
- B. The textbook selection ballot will be due in the Textbook Office thirty-five (35) days after the date of the Local Selection Hearings for the district.
- C. The Local Selection Committee members are strongly encouraged to discuss the information received at the hearing with other staff members in making decisions relative to the textbooks selected for use in the district for the next six years. Local Selection Committee members may wish to refer to the section in the handbook for State Rating Committee members relative to selection and rating criteria. Certainly, any criteria or textbook selection/evaluation instruments the district might have would be advantageous in the selection process.
- D. Once decisions have been made relative to the selection of textbooks from the most recent adoption, indications should be made on the textbook selection ballot as previously outlined. School systems are encouraged to give much consideration to the selection of textbooks.

#### **V. RETURN OF THE EXAMINATION COPIES**

- A. **All student and teacher editions sent to the Local Selection Committee members must be returned.** Any textbooks not returned will be charged to the respective school district or the account of the respective nonpublic school.
- B. Each committee member will be responsible for preparing and packing securely the examination copies for shipment. When a committee member is ready to return their examination copies, committee members will fill out the form found on page B-48 and fax or mail the form to School Book Supply Company of Mississippi. Upon receipt, School Book Supply Company of Mississippi will forward to each committee member pre-paid United Parcel Service Authorized Return Service labels. Each committee member will attach a label to the top of each box, then give the package to any United Parcel Service driver or take to any approved United Parcel Service facility.

NOTE: IT IS IMPERATIVE THAT THE RETURN LABEL INCLUDE THE NAME OF THE SCHOOL DISTRICT IN ORDER FOR THE DISTRICT'S TEXTBOOK ACCOUNT TO BE CREDITED WITH THE TEXTBOOKS BEING RETURNED.

- C. If the Textbook Office may be of assistance, please feel free to call (601) 354-7543.



## MISSISSIPPI 2007 ADOPTION CALENDAR FOR LOCAL-SCHOOL SYSTEMS

<i>DATE</i>	<i>ACTIVITY/DEADLINE</i>
<b>August 31, 2007</b>	Each school district will be mailed a Form C on which to list the names and schools of individuals selected to serve on the local selection committee for each of the instructional areas included in the adoption. The name and address of the one person to receive the official examination copies will also be indicated on Form C.
<b>September 28, 2007</b>	The completed <u>Form C</u> is due to the Mississippi Department of Education, Textbook Office, P. O. Box 771, Jackson, Mississippi 39205-0771.
<b>December 14, 2007</b>	Textbook adoption is announced by the State Board of Education.
<b>January 7, 2008- January 31, 2008</b>	Local selection committee members will receive examination copies of textbooks for review prior to local textbook selection hearings/caravan.
<b>January 31, 2008- February 24, 2008</b>	Local textbook selection hearings/caravan are conducted at regional sites throughout Mississippi.
<b>January 31, 2008- April 14, 2008</b>	During this period, the publisher is not permitted to contact the school districts until thirty-five days after presentations for which local textbook hearings are held.
<b>March 24, 2008 - April 14, 2008</b>	Textbook-selection ballots are due from local school districts thirty-five days from date of the local-textbook hearings/caravan.
<b>May 2008- June 2008</b>	Orders for newly adopted textbooks for use in the upcoming school year should be placed in order to help prevent back orders in August and September.  Examination copies of textbooks and all related materials distributed to the local-selection committees should be returned to the Mississippi depository.

- Please note that this is a quick reference. We reserve the right to make corrections in the dates.

## REQUEST FOR PRE-PAID UNITED PARCEL SERVICE LABELS

COMMITTEE
NAME
SCHOOL DISTRICT
ADDRESS
CITY, STATE, ZIP

I will need \_\_\_\_\_ Pre-Addressed, Pre-Paid Authorized Return Service labels.  
Please mail to the above address.

\*\*\*\*\*

**This request may be faxed to:**

**Fax: (601) 352-0235**

Or

Mail to: School Book Supply Company of Mississippi  
P. O. Box 1059  
Jackson, MS 39215-1059

\*\*\*\*\*

Upon receipt of your Pre-Addressed, Pre-Paid United Parcel Authorized Return Service labels:

1. Prepare the packages to be shipped. All packages should be properly sealed securely.
2. Complete the return address portion of the label and attach the label to the top of the box. Mark out any other address labels.
3. Have the packages picked up by United Parcel Service driver when they make their regular trip by your school or take it to any approved United Parcel Service shipping facility. Ask your school office to notify you the next time United Parcel Service makes a delivery to your school. The driver can pick up the examination copies at that time. **DO NOT CALL UNITED PARCEL SERVICE FOR A PICK-UP OR THERE WILL BE A SERVICE CHARGE TO THE SCHOOL.**
4. If you have any questions, please contact Mr. David Jeffreys or Ms. Martha C. Cooke of School Book Supply Company of Mississippi at (601) 352-7272 or 1-888-352-7272.

**MISSISSIPPI**  
**TEXTBOOK-ADOPTION SCHEDULE**

**FUTURE ANNUAL ADOPTIONS**

The Mississippi Department of Education reserves the right to make changes.

<i>Subject Areas To Be Adopted</i>	<i>Year of Adoption</i>	<i>Year Contract Becomes Effective on July 1</i>	<i>Fiscal Year(s) of Funding</i>
Business & Technology Education Driver's Education Mathematics	2007	2008	2009
Agriculture (Vocational) Business Technology (Vocational) Cooperative Education (Vocational) Health Education (Vocational) Marketing Education (Vocational) Trade & Industrial Education (Vocational) Technology Education (Vocational) Foreign Language Science	2008	2009	2010
Literature Reading	2009	2010	2011
Social Studies Visual & Performing Arts	2010	2011	2012
Comprehensive Health Dictionaries English Language Arts Handwriting Spelling Physical Education Family & Consumer Sciences (Vocational)	2011	2012	2013
Business & Technology Education Driver Education Mathematics	2012	2013	2014



## PROCESS TO FILE A COMPLAINT

Any person who wishes to report a violation of the policies and procedures stated in the Mississippi Textbook Adoption Handbook should follow the process listed below.

1. A written complaint letter must be received by the Textbook Office, Mississippi Department of Education; P. O. Box 771, Jackson, MS 39205-0771 within fourteen (14) calendar days after the person/company making the complaint has knowledge of the violation. The Mississippi Department of Education will not investigate any complaints made after the deadline and the State Board of Education will not hear any matters concerning the complaint filed after the deadline. The complaint letter must indicate the policies and procedures being violated with a reference to the page and paragraph in the Mississippi Textbook Adoption Handbook. The complaint letter must include the name of the person/company that violated the rule, the date and location where the violation occurred and the signature of the individual making the complaint. Please give as much information as possible in order for the complaint to be investigated.
2. The individual's signature on the letter constitutes a certificate that to the best of the individual's knowledge, information and belief there is good ground to support the complaint and the complaint is not being made frivolously. If two (2) unsubstantiated complaints are made from the same person/company, that person/company will receive a written warning from the State Superintendent. If a third unsubstantiated complaint is made by the same person/company, the matter will be presented at a formal hearing before the State Board of Education at its regularly conducted business meeting. The staff of the Mississippi Department of Education will present evidence of the unsubstantiated complaints. The person/company making three (3) unsubstantiated complaints will be given an opportunity to present any information relevant to the unsubstantiated complaints. The Board members may ask questions of any person. The State Board of Education will determine if one or more of the complaints were made frivolously. If the State Board of Education determines the person/company made a frivolous complaint, the State Board of Education may impose any penalty deemed appropriate. The person/company before the State Board of Education will receive notification of the decision by Board Order.
3. Within seven (7) business days of receipt of the complaint, the Textbook Office will investigate the violation(s) and forward the findings to the Bureau Director of the Office of Curriculum and Instruction. The Bureau Director will review the staff's findings and make a recommendation to the Deputy State Superintendent and Associate State Superintendent, Office of Academic Education.
4. The Executive to the State Superintendent and Associate State Superintendent, Office of Academic Education will review the findings and request by certified mail a written response to the complaint from the person/company who has been reported as violating the policies and/or procedures. The person/company shall file a written response to the

complaint addressed to the Executive to the State Superintendent and Associate State Superintendent, Office of Academic Education within fourteen (14) calendar days of receipt of the request. Responses received after the deadline will not be considered. Upon receipt of all relevant documentation received prior to the deadline, the Executive to the State Superintendent and Associate State Superintendent, Office of Academic Education will forward the information with a recommendation to the State Superintendent.

5. If the State Superintendent determines that there is not sufficient reliable evidence of a violation, then the State Superintendent will notify by letter the person/company making the complaint and the person/company reported to have violated the policies and procedures.
6. The State Superintendent may provide an opportunity for the person/company reported to have violated the policies and procedures to meet with him and/or the Executive to the State Superintendent and/or the Associate State Superintendent, Office of Academic Education to discuss a possible resolution of the matter.
7. If a resolution cannot be reached, the matter will be presented at a formal hearing before the State Board of Education at its regularly conducted business meeting. The staff of the Mississippi Department of Education will present the evidence of the violation(s) with a penalty recommendation. The person/company reported to have violated the policies and procedures will be given an opportunity to present any information relevant to the subject issues. The Board members may ask questions of any person.
8. The State Board of Education will determine what, if any, violation(s) of the policies and/or procedures of the Mississippi Textbook Adoption Handbook occurred and what penalty or penalties to impose upon the person/company that violated said policies and procedures. The person/company before the State Board of Education will receive notification of the decision by Board Order.

***2007-2008  
TEXTBOOK  
ADMINISTRATION  
HANDBOOK***

**RULES AND REGULATIONS  
For the Adoption, Distribution, Care and  
Use of Textbooks in Mississippi**

**Part A: PUBLIC SCHOOLS**

**ADOPTION PROCEDURES**

**Mississippi Department of Education  
Instructional Programs and Services  
Office of Academic Education  
Office of Curriculum and Instruction  
Textbook Office  
P. O. Box 771  
Jackson, Mississippi 39205-0771  
Phone: 601.354.7543  
Fax: 601.354.7590**



### **Notice of Non-Discrimination**

The Mississippi State Board of Education, the Mississippi Department of Education, the Mississippi School of the Arts, the Mississippi School for the Blind, the Mississippi School for the Deaf, and the Mississippi School for Mathematics and Science do not discriminate on the basis of race, color, religion, national origin, sex, age, or disability in the provision of educational programs and services or employment opportunities and benefits. The following office has been designated to handle inquiries and complaints regarding the non-discrimination policies of the above mentioned entities.

Director, Office of Human Resources  
Mississippi Department of Education  
359 North West Street, Suite 359  
Jackson, Mississippi 39201  
(601) 359-3511

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## **PREFACE**

The State Textbook Law authorizes the State Board of Education "To promulgate rules and regulations for the purchase, care, use, disposal, distribution and accounting for all textbooks to be furnished under the terms of this chapter and to promulgate such other rules and regulation as may be necessary for the proper administration of this chapter." Using the authority thus given, the State Board of Education has set forth in this TEXTBOOK ADMINISTRATION HANDBOOK it's rules and regulation for the operation of the textbook program in the public schools of Mississippi.

In summary, this publication has been designed to give a comprehensive outline reference for local school personnel to follow in the daily implementation of the textbook program in the public school districts of Mississippi. Textbook issues not covered in this handbook may be discussed with members of the Textbook Office staff.

## MISSISSIPPI BOARD OF EDUCATION

<http://www.mde.k12.ms.us/SBE.htm>

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Mississippi Department of Education  
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359 North West Street

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Beth Sewell, Ed.D.

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Kristopher J. Kaase, Ph.D.

Associate State Superintendent

Office of Academic Education

Trecina Green

Bureau Director

Office of Curriculum and Instruction

Kimberly D. Esco-Collins

Division Director

Textbook Office

Approved	
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## **ADMINISTRATION**

The district superintendent appoints a staff member to serve as the textbook coordinator. The textbook coordinator supervises the local adoption process, the purchase of textbooks and completes reports requested by the Textbook Office. Since the implementation of the Textbook Inventory Management System (TIMS), the textbook coordinator may also be responsible for the management of this system. The following is a job description that may be used by the district to describe the textbook coordinator's activities. If for some reason a different person manages TIMS, we ask that the other staff position be referred to as the TIMS Contact Person.

- A. Assist the Textbook Office with the reporting process by submitting the following forms:
  - 1. Form C – due on October 1 (this lists the Local Textbook Selection Committee members) and is to be submitted online at [www.mde.k12.ms.us/textbooks](http://www.mde.k12.ms.us/textbooks).
  - 2. Report of the local adoption results, due 35 days after the local hearing.
  - 3. End of year closeout process – Active Inventory, Surplus Inventory, and Request to Dispose of Unusable Textbooks. Report to be submitted in Textbook Inventory Management System (TIMS) no later than June 15.
  - 4. The form to suggest possible State Rating Committee members, due mid-June.
- B. Assist with State Adoption Rating Committee member.
  - 1. If the district has a State Rating Committee member, assist with the providing release time for the person to attend the orientation meeting and publisher presentation.
  - 2. Provide release time for the review of materials and storage if needed.
- C. Assist with the adoption process at the district level.
  - 1. Make sure that the Local Selection Committee is informed about the local hearing and can attend the meeting.
  - 2. Work with the Local Selection Committee members so that they understand how to evaluate textbooks and that they work together as a committee.
  - 3. Work with the committee to make sure "Official Local Adoption Examination Copies" are returned to the depository.
  - 4. Meet with the committee after the hearing to complete the ballot.
- D. Assist with the ordering process for the district.
  - 1. Assist with the allocation of funds needed by each school.
  - 2. Review the purchase orders before sending to the depository.
  - 3. Make sure the policies of the local board are followed as it relates to the purchase of textbooks.

## **TEXTBOOK ADOPTION SUMMARY**

The schools of Mississippi follow a five (5) year adoption cycle with the right of the board, in its discretion, to renew or extend the contract from year to year for a period not exceeding two (2) additional years, (Section 37-43-19 (c), Mississippi Code of 1972, Annotated). The detailed steps of this process are as follows:

- Subject areas are designated as current according to the Adoption Cycle Schedule.
- The Mississippi Department of Education distributes the curriculum standards.
- The publishers submit books for bid that meet the standards.
- For each subject area, the submitted books are reviewed by a seven-member State Rating Committee. The committee is comprised of four members appointed by the State Superintendent and three members appointed by the governor.
- The books that are adopted must satisfy at least of 80% of the curriculum standards. A contract is entered into with the publishers and a contract price is established for each book for a period of five years with the right of the board, in its discretion, to renew or extend the contract from year to year for a period not exceeding two (2) additional years (Section 37-43-19 (c), Mississippi Code of 1972, Annotated).
- For each subject area, up to eight programs are adopted to provide a variety of choice for the individual schools.
- Copies of the adopted books are sent to each school district for administrators and teachers to review.
- During the State Caravan, School Book Supply Company and the publishers travel throughout Mississippi to provide each school district the opportunity to hear presentations about the newly adopted books. The advantage to this approach is that it provides teachers, administrators, and parents from all districts full access to the newly adopted textbooks regardless of the location or size of the district.
- After reviewing the books and attending the presentations on State Caravan, the districts decide which books they want to use in their schools.
- Districts then purchase the selected textbooks through the depository or directly from the textbook company.

**This is a summary. A detailed explanation on the adoption process can be found in Part B of the Textbook Adoption Handbook at <http://www.mde.k12.ms.us/Textbook/textbooks.htm>**

## **ACQUISITION/REQUISITION**

Textbooks may be procured with state or local funds in a variety of ways. Please find listed below the approved methods and procedures:

- A. **STATE-ADOPTED TEXTBOOKS** – Textbooks that are on the state-adopted list may be purchased directly from the publishers' depositories. All requisitions will need to be submitted by the local school district to publishers' depositories in accordance with the procedures established by that entity and communicated to school districts. Requisitions for textbooks are **NOT** to be sent through the Mississippi Department of Education.



Textbooks that are listed on the state-adopted list may also be purchased directly from the publisher. School districts are reminded that the textbook law requires that a district pay no more for a textbook procured directly from the publisher than the price stated in the current state-adopted catalog.

- B. **NON-ADOPTED TEXTBOOKS** – Textbooks that are not state-adopted may be purchased by the local school district directly from the appropriate publisher or vendor. Approval **is not** required from the Mississippi Board of Education or the Mississippi Department of Education Office of Textbooks, prior to purchase. However, districts are strongly encouraged to develop a review and evaluation plan to ensure that quality textbooks are being purchased. The purchase of textbooks should follow the state purchasing guidelines if textbooks are not under state contract.
- C. **PURCHASING PROCEDURE** – To ensure that internal controls are in place to document the most efficient use of taxpayer dollars, public schools are required to follow the state bid requirements established by MS Code 31-7-13, Annotated 1972. Textbooks that are adopted are placed under state contract and are exempt from the bidding process.
- D. **BIDDING REQUIREMENTS**
  - 1. \$0-\$3,500 – Purchase from any vendor.
  - 2. \$3,500 – \$15,000 – Obtain two (2) or more written quotes. Facsimiles and email are acceptable.
  - 3. Over \$15,000 – Must be advertised. Allow 3 ½ to 4 weeks for bid to be awarded.

Note: The bid dollar limits does not include shipping or freight costs.

E. **PURCHASES OVER \$15,000**

- 1. Public schools that purchase non-adopted textbooks in excess of \$15,000 are required to maintain sealed bid supportive documentation for three (3) years after the audit report is released. If a purchase is in litigation, the files shall be maintained until resolved.
- 2. The documentation is required to support award decisions, assure approvals, compliance with regulation, and sustain any reviews or litigation. Documentation should include but is not limited to the following: bid list, bid opening sign-in sheet, bidders spreadsheets, witness signature, requisition, notice to Contract Procurement Center\*, public notice to newspaper, bid specifications, original bids, bid envelopes, bid addendum, proof of advertisement, bid evaluation, and award by the school, approval form or letter from the Textbook Office, and award letter.

\* The Mississippi Contract Procurement center is a non-profit corporation that assists Mississippi businesses with bid notifications. Mississippi Code, 31-7-13 (c) (i) (1) requires that purchases over \$15,000 be advertised in a newspaper once per week for two consecutive weeks, 31-7-13 (c) (i) (2) requires that the same notice sent to the



newspaper is also mailed or electronically sent to the main office of the Mississippi Contract Procurement Center.

**Mississippi Contract Procurement Center**  
**1636 Popps Ferry Road, Suite 229**  
**Biloxi, MS 39532**  
**Telephone: 228-396-1288**  
**FAX: 228-396-2520**  
**Email: mprogoff@mscpc.com**

**F. SOLE SOURCE TEXTBOOK PURCHASES** – Textbooks that are sold by one supplier or one source may be purchased without competitive bids. Follow your local board policy regarding the use of the sole source.

**G. USED TEXTBOOKS** – Textbooks, both adopted and non-adopted, may be purchased from vendors of used textbooks. Again, approval of the Mississippi Department of Education is no longer required for these purchases. A listing of used textbook companies may be downloaded at <http://www.mde.k12.ms.us/Textbook/textbooks.htm>. School districts are not required to use such company recommended by the MDE. Each district has the discretion and authority to secure its' own used textbook company.

**H. Textbooks purchased from used textbook companies** will not receive a free teacher edition or any other ancillary materials that are listed as free under state contract. Please be aware that textbooks purchased from used textbook companies may be first editions or first printing and may contain errors.

**I. PETITION TEXTBOOKS** – Textbooks may be procured through the petition process from the depository, School Book Supply Company of Mississippi or directly from the publisher. Since non-adopted textbooks may now be purchased with state funds, it is no longer necessary to follow the steps of the petition process. However, if a district or districts, depending on the circumstances, should choose to go the petition route, the State Board of Education will be glad to consider the petition for possible approval.

**J. PAYMENT FOR TEXTBOOKS** – All purchases and subsequent payments for textbooks are between the local school districts making the purchase and the depository, the publisher, or the vendor as may be appropriate.

**K. INCOMING SHIPMENTS** – It is suggested that each school district develop and follow a plan in each of its schools that would ensure all incoming textbook shipments have been received in an orderly manner.

## **INSTRUCTIONS FOR HANDLING INCOMING TEXTBOOK SHIPMENTS**

- A. **SCHOOL'S RESPONSIBILITY** – Each school district should designate someone at each school to serve as textbook custodian. Usually this will be the principal, but it could be a teacher or other school employee.
- B. **CUSTODIAN'S RESPONSIBILITY** – The custodian is accountable for all textbooks shipped to the school. Therefore, he/she should personally accept and check all incoming shipments of textbooks requisitioned through the district-owned textbook program. If the custodian cannot attend to this personally, the responsibility should be delegated to someone that is thoroughly competent and has a comprehensive understanding of the textbook procurement process.
- C. **CHECKING IN FREIGHT SHIPMENTS** – When the freight company secures a signed delivery receipt without any exceptions being noted on it, the shipping company is automatically released of its liability for losses in the shipment. Therefore, it is imperative that the total number of cartons delivered to the school be accurately counted and recounted before a shipment is accepted.
- D. **SHORTAGE IN FREIGHT SHIPMENTS** – The number of cartons missing should be plainly marked on all copies of the delivery receipt before they are signed. Do not sign for any shipment unless a copy of the receipt is provided for the school's files. Do not sign for a complete shipment contingent upon the shipper's promise to locate the missing cartons later.
- E. **DAMAGED CARTONS** – If there is evidence that any cartons have been damaged by rough handling or in any other way, damages should be noted on all copies of the delivery receipt. If it is later found that some of the textbooks have been damaged, the depository should be notified so that the textbooks may be replaced. If a school is purchasing from a publisher or other vendor, then the appropriate business should be notified.
- F. **CHECKING TEXTBOOKS** – The publisher's depositories with state-adopted textbooks in Mississippi will include with each shipment, a copy of the packing slip that will indicate only the textbooks contained in the shipment. Backorders and textbooks shipped previously will not be listed on the packing slip. As soon as possible, after the receipt of the shipment, all cartons should be opened and checked against the packing slip. As each carton is opened, please make sure that the name of the school appears on each box. Otherwise, the shipment of textbooks may belong to another school and the shipment will not check with the packing slip.



- G. **DIFFERENCE IN PACKING SLIP AND SHIPMENT** – If it is found that the number of textbooks ordered does not check with the number and title listed on the enclosed copy of the packing slip, make a recheck to verify the original count. If this recheck shows the same error as the first count, please notify immediately **the appropriate publisher's depository** of the discrepancies. If the error relates to an overage, do not take any disposition action until so instructed by the depository.
- H. **BACKORDERS** – If the depository is out of stock of any title included on a requisition, it will be noted on the green invoice that will be received from the publishers' depositories approximately one week after the textbook shipment. Any title that is on backorder will be shipped as soon as stock becomes available. If a school desires to cancel an existing backorder, please notify the appropriate publishers' depository or vendor. However, when a school district experiences a lengthy delay in the filling of a backorder, the Textbook Office in the Mississippi Department of Education should be contacted and notified. This action is essential since requisitions no longer flow through the Textbook Office; and, as a result, it is not aware when lengthy backorders occur.
- I. **GREEN INVOICES** – The green invoice provides proof that the requisitioned textbooks have been properly received in the local school; therefore, each green invoice must be on file at the local district office. When a determination has been made that the shipment has been satisfactorily received, the custodian of textbooks should sign each green invoice and return it to the local district office.
- J. **DEFECTIVE TEXTBOOKS** – Occasionally, textbooks that may be defective in workmanship will be received. If one or more defective textbooks are received, the school should notify the appropriate depository and request immediate replacement of any defective textbooks.

**STAMPING AND MARKING TEXTBOOKS** – Please do not stamp the school name, number, or write names of students in textbooks until it is positively determined that the textbooks received are the ones that were actually ordered and needed for the particular course. The depository normally will not accept for return, textbooks that have been stamped or marked.

**RETURN POLICY** - Schools are reminded that any unused textbooks should be returned to the depository, publisher, or vendor from which they were purchased.

Textbooks purchased during a fiscal year must be returned during the same year of purchase in order to receive credit from School Book Supply Company of Mississippi. Any textbooks that are not returned by June 30 of the fiscal year shall not be returned for credit. These textbooks, if not to be used by the purchasing school district, must be placed on the surplus textbook list.

Textbooks may no longer be returned to School Book Supply Company of Mississippi for credit if they have been marked or bar-coded. Opened kits may not be returned. Any textbook that has come off contract on June 30 can not be returned after June 30.



## **FUNDING**

Funds for the procurement of textbooks distributed through the Mississippi Department of Education must be used to purchase items that meet the definition of a textbook as stated in Section 37-43-1 of the Mississippi Code of 1972:

**“Textbook shall be defined as any medium or manual of instruction, which contains a systematic presentation of the principles of a subject and which constitutes a major instructional vehicle for that subject.”**

- A. **DISTRIBUTION** – The Mississippi Legislature will annually appropriate funds to the Mississippi Department of Education for the procurement of textbooks. The funds are a part of the Mississippi Adequate Education Program. The district will allocate from the annual funds the amount to be used for the purchase of textbooks. All textbook budgeted funds may be utilized to procure textbooks in accordance with the policies contained in this handbook.
- B. **FREIGHT COSTS** – Each school district will be responsible for the payment of the freight costs incurred in the shipment of the textbooks to the local school or district.
- C. **CARRYOVER** – It is the responsibility of each local school district to maintain records relative to carryover funds.

## **ACCOUNTING**

- A. **OWNERSHIP** – On July 1, 1994, all textbooks became the property of the local school districts to which they had been on loan from the Mississippi Department of Education. While the textbooks are now the property of the local school districts, each district must make available for transfer all textbooks that have been declared surplus by the district.
- B. **FUNDING SOURCES** – There is no need to differentiate between funding sources such as State, Local, Educational Enhancement, etc. in the maintenance of an inventory. Regardless of the funding, all sources are to be treated the same in regard to the inventory process.
- C. **ISSUANCE OF TEXTBOOKS** – The label on the inside cover of each textbook shall be completed before the textbook is issued to the pupil. The school district shall have in place a plan for maintaining adequate records regarding the issuance of textbooks to students. It is suggested that the method of issuing textbooks to students reflect the condition of the book. The parent or guardian should sign that the child has received books. A statement similar to following should to be a part of the signature process. “I hereby accept the responsibility of the books listed and for any other books issued to my child during the current school year. If any book is lost, damaged or destroyed, I agree to pay such loss

before my child will be entitled to any further books.” See Ms AG op., Johnson (Jan 10, 1997).

- D. **LOCAL POLICY** – Each local district should have board policy that deals with the issuance of textbooks plus fines or damages. This policy needs to be a part of the student handbook. This plan should be sufficient to comply with Section 37-7-301 (ff) of the Mississippi Code. The following is an example of the type of policy that could be used.

**“\_\_\_ School District provides textbooks free of charge to students. It is the duty of each student to care for the textbooks to the best of his/her ability. Students who lose or damage textbooks are required to pay for them. Students should take pride in the upkeep of their textbooks. Teachers are instructed to assess fines for amounts up to the current value of a book when it is obvious that the student has damaged or defaced the book.”**

The following is an example of one district’s fines and damage replacement schedule. The example is given to aid in the development of your district policy.

Damage	Fine
Writing/drawing/scribbling in book	\$1.00 per page
Excess wear/damage but still Usable	10% of cost of the book
Cover of book damaged	25% of cost of the book
Spine damaged	25% of cost of the book
Water damaged but still usable	25% of cost of the book
Water damaged, not usable	Cost of the book
Pages missing, not usable	Cost of the book
Obscene writing or drawing on or in the book	Cost of the book
Non-returned book	Cost of the book

- E. **INVENTORY** – An annual inventory of active, surplus and disposable textbooks must be conducted and submitted by way of the TIMS program to the Mississippi Department of Education by June 15 of each year. The Textbook Office will send an inventory sign off form to the district superintendent to be signed verifying that the inventory report in the TIMS system is correct.
- F. **SALES** – The State Textbook Law, Section 37-43-33 of the Mississippi Code of 1972 provides that parents, person or school boards may purchase textbooks directly from the publisher’s depository. The price of textbooks shall be at contract price plus whatever postage or delivery charges might accrue.
- G. **NON-PREVENTABLE LOSSES** – Since the textbooks now are the property of each local school district, no emergency fund is maintained at the state level. Consequently, districts are encouraged to maintain a contingency fund or plan to utilize in the replacement of textbooks in the event of a disaster. Further, districts are reminded to delete textbooks that may have been destroyed from their current inventory. It is imperative for each school district to maintain and file current inventory with the Textbook Office.



## **DISPOSAL OF UNUSABLE TEXTBOOKS**

- A. **DETERMINATION OF DISPOSABLE TEXTBOOKS** – Each local school district will determine if textbooks are unusable. Textbooks may be unusable because they are twelve years or older, or not relative to current curriculum framework or the textbooks may be physically worn-out to the point that it is not feasible or practical for continued use. Before a school district disposes of textbooks, it must be approved by the Superintendent and the information must be entered into the Textbook Inventory Management System (TIMS) and then forwarded to the director of the Textbook Office for final approval.
- B. **METHODS OF DISPOSAL** – Several approaches are available for the disposal of unusable textbooks. Listed below are methods in priority order of consideration:
1. Priority should be providing the unusable textbooks to students presently in attendance. School districts should maintain records regarding the number of textbooks disposed of through this method.
  2. Unusable textbooks can be sold to a debinding company for paper-recycling purposes. Any funds received for the sale of textbooks through this provision shall be credited back to the school that sold the textbooks for use in the purchase of additional textbooks. Because of the small price paid for the textbooks by debinding companies, this method is not very practical unless a district has a large quantity of unusable textbooks for disposal. Records must be maintained by the district relative to the number of textbooks disposed of through this method.

**NOTE:** The Mississippi Department of Education will attempt to assist local districts in the location of a company that would purchase the textbooks for debinding and subsequent recycling of the paper. Contact information is listed at the following website: <http://www.mde.k12.ms.us/Textbook/textbooks.htm>. School districts are **not** required to use such company recommended by the MDE. Each district has the discretion and authority to secure its' own debinding company.

3. Unusable textbooks can be donated to local non-profit organizations. Any non-profit organization desiring to receive unusable textbooks must make application to the local school board from which it desires to receive the donated textbooks. This application should detail the plans and intentions relative to the future utilization of the donated textbooks along with background information on the non-profit group. As part of the application to receive books a copy of the IRS designation should be requested. When the IRS gives a designation of a 504-3-C, you can be assured that this is an approved non-profit organization. In no case may textbooks be donated to any group without prior approval of the local school board of the district from which the textbooks are being requested. School districts should maintain records of the textbooks disposed through this method.



**NOTE:** School districts desiring assistance with the application process for the donation of unusable textbooks to non-profit groups should contact the Textbook Office at the Mississippi Department of Education. Further, districts are encouraged to utilize much discretion in the donation of textbooks to agencies outside the public domain so as not to conflict with other regulatory requirements placed upon local districts.

4. Unusable textbooks can be donated to national non-profit organizations for distribution to Third World and similar countries. Several factors should be taken into consideration when one is making donations of unusable textbooks.
  - a. All donations should involve non-profit or similar agencies that will place the textbooks in Third World countries or in an area that experiences a vast depravity as far as instructional materials are concerned.
  - b. All agencies interested in receiving donated unusable textbooks must first complete and submit to the school district a written application. An example of an application form may be secured from the Textbook Office.
  - c. All applications must be approved by the local-school board prior to the donation of any unusable textbooks to any agency submitting such application.
  - d. School districts are urged to use extreme discretion in the donation of unusable textbooks so as not to enter into a conflict with other legal requirements.
5. If none of the above-listed disposal methods is practical or feasible, the unusable textbooks may be destroyed in the most convenient manner. However, districts are encouraged to use one of the other disposal methods when it is possible.

**Regardless of which method is used, it is suggested that records be kept of inventory, date, and method used to dispose of unusable textbooks.**

## **SURPLUS TEXTBOOKS**

For several years the surplus textbook program has been quite popular and beneficial to schools throughout the state. Basically, a surplus textbook is one that is still in good physical condition but is no longer being used in the district. In most situations, the surplus textbooks will be from a previous adoption and may be much more current than those being used in some districts. We ask that books with a copyright of 12 years of age or less be kept in the surplus book program. Since this program has been so successful in meeting the textbook needs of schools throughout Mississippi, it is being continued.

All local school districts are reminded that this program is quite important, and it is hoped that districts will continue to work together in a cooperative manner. Without the implementation of the surplus program, there would be cases where students might not have textbooks at all. Your

cooperation and assistance in the continued implementation of this program will serve a great need.

Indeed, the successful operation of this program will create a positive image that school districts are working together in a cooperative fashion to ensure that school districts are getting the maximum utilization from the textbooks, which are ever increasing in cost.

**STEPS TO BE FOLLOWED IN THE SURPLUS TEXTBOOK PROGRAM** – In order for the surplus textbook program to operate in a smooth and efficient manner, local school districts are required to use the following steps:

- A. Each school shall update the inventory of surplus textbooks at the conclusion of each school year. The inventory update shall be entered into the Textbook Inventory Management System (TIMS) and must be completed no later than June 15 of each year. If changes are made during the year, the system must be updated.
- B. Schools that need surplus textbooks should go to the Textbook Inventory Management System (TIMS). Select the request screen and make the surplus inquiry. The ISBN should be entered into the system along with the quantity needed. This is a request system not a **SEARCH** tool. Request one ISBN at a time.
- C. Once the needed textbooks have been located in Textbook Inventory Management System (TIMS), contact the district textbook coordinator and ask that the request be approved. The district textbook coordinator will indicate the approval in the system under Inquire/Modify requested and contact the district that owns the textbook to ask if the district will release the books.
- D. The district that owns the books will approve the surplus transfer in the system by going to the approval surplus transfer screen.
- E. This is a district-to-district function. At no time should a principal call schools to ask if they have books and if they will release the books that they own.
- F. If the proper process is not followed, the ending inventory of two districts will not be correct.
- G. All freight costs incurred in the transfer of the surplus textbooks will be paid by the receiving school/district. Shipping arrangements should be made before approval is given. PLEASE do not ask the district sending the textbooks to pay the shipping costs. All books should be pre-paid or picked up.



## **TEXTBOOK USE**

**PUPIL USE** – Please be reminded that teachers should permit all pupils in all grades of any school to carry textbooks to their homes for study. This is based on the following excerpt from Section 37-43-1 of the Mississippi Code of 1972:

**“Teachers shall permit all pupils in all grades of any public school to carry to their homes for home study, the free textbooks loaned to them, and any other regular textbooks whether they be free textbooks or not.”**

**HOME SCHOOL PUPIL USE** - House Bill 308- requires a local school board to make available to parents or legal guardians of any school-age children who reside in a school district, upon request, any textbook(s) on the state surplus inventory list. The parent or legal guardian is responsible for the return of the textbook(s) to the district upon completion of use of the textbook(s) or they will be required to compensate the district for the fair market value of the textbook(s). Effective Date: July 1, 2006. Local school districts can contact the Office of Textbooks for an example of a suggested home policy.

## **PROCEDURE FOR COMPLAINTS/OBJECTIONS**

Any person who wishes to report a violation of the policies and procedures stated in the Mississippi Textbook Adoption Handbook should follow the process as outlined in the appendix of Part B of the Handbook.

## **LARGE-PRINT AND BRAILLE TEXTBOOKS**

Large-print and Braille textbooks may be obtained through the Mississippi School for the Blind by any school district that has students that are visually handicapped. Inquiries for large-print and Braille textbooks should be submitted to:

Mississippi School for the Blind  
Mr. Kevin Clinard  
1252 Eastover Drive, Adm. Bldg. Rm. 300  
Jackson, MS 39211  
Phone: (601) 984-8226

At the close of the school term, all large-print and Braille textbooks must be returned to the Mississippi School for the Blind. They are to be returned through the United States Post Office and marked: **READING MATTER FOR THE BLIND – FREE – 138.32 – 138.92**. If the package containing the large-print and Braille textbooks is labeled in this manner, there will be no cost for the shipping. **DO NOT** ship textbooks back freight collect by freight line or UPS.



## **REBINDING OF TEXTBOOKS**

Contact information for rebinding companies is available at the following website: <http://www.mde.k12.ms.us/Textbook/textbooks.htm>. School districts are **not** required to use such company recommended by MDE. Each district has the discretion and authority to secure its' own rebinding company. The cost for rebinding may be paid from funds that you use for the purpose of the purchase of textbooks.

## **DEFECTIVE TEXTBOOKS**

For those textbooks that are on the state-adopted list, school districts are reminded that these textbooks must be built by very rigid construction specifications. The contract between the publisher and the Mississippi Department of Education requires that the adopted textbooks must continue to measure up to these construction standards. Therefore, any school district that fails to receive defective textbook replacement assistance from the publisher should contact the Textbook Office. School districts are also reminded that the issue of defective used textbooks should be discussed with the vendor from which the used textbooks were purchased.

- A. When the school receives defective textbooks, the depository or publisher from which the textbooks were purchased should be contacted with a request to replace the textbooks. Contact the depository or publisher before returning defective textbooks for instructions on the method of return.
- B. Textbooks may become defective after they have been in use for a while. Usually defects will take the form of pages falling out of the textbooks or covers coming loose from the textbook block. Normally if there is a defect of this type in workmanship, it will usually become noticeable within the first two or three years of use. The school or school district should contact the depository or publisher and discuss the problem and seek replacement of the defective textbooks. Publishers/vendors are cooperative in the replacement of defective textbooks.

## **ORDERING TEXTBOOKS**

**The Textbook Office does not complete textbook orders for school districts. All orders should go to the depository, publisher, or a used textbook vendor. Inventory should be entered into the Textbook Inventory Management System as soon as it is process and received.**

## **TEACHER EDITIONS AND COMPLIMENTARY MATERIALS**

In recent years it has become common practice for publishers/vendors to provide complimentary materials as well as teacher editions when a school district purchases a publisher's textbooks.

- A. Publishers/vendors with state-adopted textbooks are required to provide teacher editions, when available, to accompany the student editions requisitioned by the school district.

- B. Publishers/vendors are required to list on the textbook bid form all complimentary materials along with the terms and conditions under which the materials will be given to the schools. This information is a part of the contract entered into between the Mississippi Board of Education and the publisher. This information is also on file and may be found in the Textbook Catalog as well as on the MDE web page.
- C. School districts personnel should not ask a publisher to provide materials as part of an adoption that is not listed on the company bid. This type of request is a violation of the contract between the Mississippi Department of Education and the company. Also a company representative should not promise items that are not a part of the bid.
- D. If a district fails to obtain the promised complimentary materials, the district should contact the Textbook Office. Schools are reminded that publishers/vendors will not be permitted to give away or promise free materials not certified on their bid form. The provision of free material will be in accordance with the terms and conditions included on the bid form and contract.

## **FORMS**

The Textbook Office no longer provides forms to assist with the implementation of the TEXTBOOK INVENTORY MANAGEMENT SYSTEM (TIMS). All inventory reports—active inventory, surplus inventory and disposable books are now entered into TIMS by June 15 of each year, unless notified.

## **PETITION PROCESS**

Section 37-43-31 of the Mississippi Code of 1972 contains a provision whereby five or more school boards may petition the State Board of Education to add a book or series of textbooks to the state adopted list. If a district so chooses to petition the State Board of Education, the following policies and procedures should be adhered to:

- A. School districts may petition the State Board of Education to allow for the requisition of non-adopted textbooks.
  - 1. Five or more school boards may petition the State Board of Education to add one or more textbooks or series of textbooks to the approved list of state adoptions. The State Board of Education will have sixty days to act upon the petition; and if it is not acted upon in this time period, the petition shall be deemed as approved.
  - 2. A school board may petition for the requisition of "new and innovative" textbooks that have become available since the last textbook adoption in the respective subject area.
- B. Consideration shall be given to the following by the local school districts in the submission of petitions under any of the above-named provisions:

1. Each district that submits a petition must secure at least one copy of each textbook included in the petition for review and evaluation purposes. Each district submitting a petition shall select a committee of no fewer than three individuals to review and evaluate each textbook or series included in the petition. These individuals must have expertise in the subject area being reviewed, and at least two of these individuals must be teachers. Each reviewer/evaluator shall utilize and submit a review form provided by the Mississippi Department of Education.
  2. Each district submitting a petition shall provide a rationale as to why currently adopted textbooks are not sufficient to meet the needs for the courses for which the non-adopted textbooks are intended.
  3. All textbooks requisitioned through this process shall be purchased by the petitioning district. Districts may submit petitions at any time during the school year.
  4. Each school district submitting a petition for non-adopted textbooks shall receive approval of its school board prior to submission, and it must state on the petition the date of such board action.
  5. Each district submitting a petition request shall state on the petition the quantity of each title petitioned along with information regarding the publisher.
  6. Publishers/vendors having textbooks adopted through the petition process must be willing to submit a bid, execute a contract and bond with the state of Mississippi, and provide a stock of textbooks in their Mississippi depository sufficient to meet all reasonable demands. Consequently, school districts must initially determine if the publisher whose textbooks are being petitioned will be willing to meet all of these requirements before submitting a petition. Each publisher whose textbooks are petitioned must supply one copy of each student and teacher edition to the Textbook Office to be used for review purposes; and if the textbook is subsequently approved by the State Board of Education, it will be placed on file for review. Contracts entered into with publishers/vendors of successfully petitioned textbooks will have the same expiration dates as all other textbooks in like subject areas.
- C. This Mississippi Department of Education shall designate one person, having expertise in the respective subject area(s) for which textbooks are petitioned, to review the petition and the textbook and recommend to the State Board of Education the appropriate action to be taken regarding the addition of the textbooks to the list of state adoptions.
- D. Districts receiving State Board of Education approval on petitions will be notified promptly, and action will be taken to add the requested textbooks to the state-adopted list as soon as possible.
- E. In conclusion, school districts considering the petition process should be reminded of the following:



1. The petition process requires considerable paper work which must be approved by the local school board.
2. The publisher of the petitioned textbook will need to submit a bid and execute a contract and bond upon approval by the State Board of Education.
3. State textbook law now permits the purchase of non-adopted textbooks directly from the publisher resulting in a much more timely delivery if this approach is selected over the petition process.

## **DISTANCE LEARNING AND ADVANCED PLACEMENT TEXTBOOKS**

Textbooks needed for use in distance learning and advanced placement courses should be purchased by the local school district directly from the depository, publisher or vendor of the textbooks.

## **RETURNS**

Schools are reminded that any unused textbooks should be returned to the depository, publisher, or vendor from which they were purchased.

Textbooks purchased during a fiscal year must be returned during the same year of purchase in order to receive credit from School Book Supply Company of Mississippi. Any textbooks that are not returned by June 30 of the fiscal year shall not be returned for credit. These textbooks, if not to be used by the purchasing school district, must be placed on the surplus textbook list.

Textbooks may no longer be returned to School Book Supply Company of Mississippi for credit if they have been marked or bar-coded. Opened kits may not be returned either. Any textbook that has come off contract on June 30 can not be returned after June 30.

## CALENDARS

Please note that the following calendars are for quick reference only. The Mississippi Department of Education reserves the right to make corrections in the dates.

### 2007 ADOPTION CALENDAR FOR LOCAL SCHOOL SYSTEMS

<i>DATE</i>	<i>ACTIVITY/DEADLINE</i>
<b>August 31, 2007</b>	Each school district will be mailed a Form C on which to list the names and schools of individuals selected to serve on the local selection committee for each of the instructional areas included in the adoption. The name and address of the one person to receive the official examination copies will also be indicated on Form C.
<b>September 28, 2007</b>	The completed <b>Form C</b> is due to the Mississippi Department of Education, Textbook Office
<b>December 13-14, 2007</b>	Textbook adoption is announced by the State Board of Education.
<b>January 7, 2008- January 31, 2008</b>	Local selection committee members will receive examination copies of textbooks for review prior to local textbook selection hearings.
<b>January 31, 2008- February 24, 2008</b>	Local textbook selection hearings are conducted at regional sites throughout Mississippi.
<b>January 31, 2008- April 14, 2008</b>	During this period, the publisher is not permitted to contact the school districts until thirty-five days after presentations for which local textbook hearings are held unless indicated on the Form C.
<b>March 24, 2008 - April 14, 2008</b>	Textbook-selection ballots are due in the Textbook Office from the local-school districts thirty-five days from date of hearing for which local-textbook hearings are made.
<b>May 2008- June 2008</b>	Orders for newly adopted textbooks for use in the upcoming school year should be placed in order to help prevent back orders in August and September.  Examination copies of textbooks and all related materials distributed to the local-selection committees should be returned to the Mississippi depository.

**MISSISSIPPI**

**TEXTBOOK-ADOPTION SCHEDULE**

**FUTURE ANNUAL ADOPTIONS**

The Mississippi Department of Education reserves the right to make changes.

<i>Subject Areas To Be Adopted</i>	<i>Year of Adoption</i>	<i>Year Contract Becomes Effective on July 1</i>	<i>Fiscal Year(s) of Funding</i>
Business and Technology Education Driver's Education Mathematics	2007	2008	2009
Agriculture (Vocational) Business Technology (Vocational) Cooperative Education (Vocational) Health Education (Vocational) Marketing Education (Vocational) Trade & Industrial Education (Vocational) Technology Education (Vocational) Foreign Language Science	2008	2009	2010
Literature Reading	2009	2010	2011
Social Studies Visual & Performing Arts Business & Technology Education	2010	2011	2012
Comprehensive Health Dictionaries English Language Arts Handwriting Spelling Physical Education Family & Consumer Sciences (Vocational)	2011	2012	2013
Business & Technology Education Driver Education Mathematics	2012	2013	2014



## Attorney General Opinions

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## MS Attorney General's Office Computer Generated Opinion Database

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**TEXT** Charles E. Johnson  
Superintendent of Education  
Wilkinson County School District  
Post Office Box 785  
Woodville, Mississippi 39669

Dear Mr. Johnson:

Attorney General Mike Moore has received your letter of request and has assigned it to me for research and reply. In your letter you pose the following questions:

1. Can a school district deny textbooks to students who owe for books from the previous year?
2. Can a school district garnish the wages of parents whose children owe for textbooks from the previous year?

3. What legal options does a school district have to collect monies for lost textbooks?

4. Can a school district legally adopt and enforce a mandatory school uniforms policy for students?

Preliminarily, charges made for damage or misuse or loss of school property such as library fines or charges for lost or damaged textbooks or disciplinary fines imposed for vandalism are distinguishable from the fees and limitations which may be imposed under 37-7-335.

Miss. Code Ann. Section 37-7-301 was amended in 1993 by House Bill 1063 as follows:

(ff) The school boards of all school districts, as part of their duties to prescribe the use of textbooks, may provide that parents and legal guardians shall be responsible for the textbooks and for the compensation to the school district for any books which are not returned to the proper schools upon the withdrawal of their dependent child. If a textbook is lost or not returned by any student who drops out of the public school district, the parent or legal guardian shall also compensate the school district for the fair market value of the textbooks.

Pursuant to Miss. Code Ann. Section 37-43-19 the State Board of Education has adopted a rule or regulation governing the issuance of textbooks contained in the Textbook Administration Handbook which I attach for your benefit. This rule provides that school districts must have a plan for maintaining adequate records of textbooks issued to students. The traditional textbook card is no longer required, but if the district does not use this card, it must have a similar process that will provide a high degree of accountability for textbooks. It is to be noted that the textbook card constitutes a contract between the parents and the school district and contains the following language:

I hereby accept the responsibility for the books listed on reverse side hereof and for other books issued to my child during the current school year. If any book is lost, damaged, or destroyed, I agree to pay such loss before my child will be entitled to any further textbooks.

If the school district uses the textbook card or in its own plan has this or similar language in a document signed by parents, guardians or custodians, then there is a contractual agreement between the district and the parents; the parents have notice that as a term of this contract the child may not be issued further textbooks if payment is not received for lost or damaged textbooks. If this language or similar language is not in the process adopted by the district, then the district may not deny textbooks to students who owe for books from the previous year.

In response to your second question, under Miss. Code Ann. Section 9-11-9 (1996 Supp.) the Justice Court has jurisdiction of all actions where the value of the recovery does not exceed Two Thousand Five Hundred Dollars (\$2,500.00). If the district obtains a judgment, the Justice Court has the power to issue a writ of garnishment against the





**TEXT** M. James Chaney, Jr., Esquire  
Teller, Chaney, Hassell & Hopson, LLP  
Post Office Box 789  
Vicksburg, Mississippi 39181-0789

RE: Library Fines, Damage to Textbooks & School Property

Dear Mr. Chaney:

Attorney General Mike Moore has received your letter of request dated December 22, 1999, and asked that I research and respond. In your letter you pose the following question:

The undersigned is the attorney for the South Delta School District which requests an opinion concerning its ability to collect library fines from students or fines for students who damage or fail to return text books or who have unpaid fines relating to the destruction or vandalism of school property.

The South Delta School District purchases all of the graduation diplomas for its graduating seniors and does not charge the student for the diploma. May the South Delta School District withhold delivery of the diploma until such time as the student has satisfied any outstanding library fines, textbook fines and/or returned textbooks that may have been checked out in his name to the school district? The school district would allow the student to graduate but simply proposes to withhold the physical diploma certificate itself until such time as the student's debts to the school district have been satisfied.

In MS AG Op., Johnson (Jan. 10, 1997), which I attach hereto and incorporate herein, this office stated that charges or fines for lost or damaged textbooks, library fines and disciplinary fines imposed for vandalism are not governed by the limitations imposed by Miss. Code Ann. Section 37-7-335. Miss. Code Ann. Section 37-7-301 subsections (n) and (ff) provide that all school boards will prescribe the use of textbooks and may hold parents responsible for compensation in the event books are lost or damaged. Moreover, Mississippi Board of Education regulations require districts to maintain a high degree of accountability for textbooks.

Miss. Code Ann. Section 37-11-19 provides that students may be subject to suspension or expulsion for willful damage to school property and parents or persons in loco parentis will be liable for all damages. Miss. Code Ann. 37-11-53 at subsection (2)(a) provides that parents of compulsory school age children shall be responsible financially for the child's destructive acts against school property while subsection (4) of the statute states that the school shall be entitled to recover damages in an amount not to exceed \$20,000.00 plus necessary court costs from parents of students under 18 who maliciously and willfully damage or destroy school property.

It is the opinion of this office that none of the above provisions are the exclusive remedy available to a school in the event a student has lost, destroyed or damaged school property. Pursuant to Miss. Code Ann. Section 37-7-301(c) a school board has the duty "to be custodians of real and personal school property and to manage, control and care for same, both during the school term and during vacation." Subsection (l) of this statute allows a school board "to prescribe and enforce rules and regulations not inconsistent with law or with the regulations of the State Board of Education for . . .the government of the schools...." Therefore a school board may, with proper notice, adopt a rule wherein further property belonging to the school may be withheld from a student who has lost, destroyed or damaged school property entrusted to him or her until such time as the student or parents reimburse the school for the property.

Sincerely,

MIKE MOORE

ATTORNEY GENERAL

BY: Anita C. Clinton

Special Assistant Attorney General

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**MS Attorney General's Office Computer  
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DOCK 2003-0553

**AUTH** Richard Roberson

DATE 20040123

**RONM** Joseph Adams

SUBJ Schools

SBCD 211

**TEXT** Joseph L. Adams, Esq.

Phelps Dunbar

Post Office Box 23066

Jackson, Mississippi 39225-3066

Dear Mr. Adams:

Your request for an Official Opinion has been received by this office and forwarded to me for research and reply. Your request on behalf of the Tunica County School District poses five questions related to the district's problem with recovering textbooks issued to students as well as its trouble with students damaging textbooks and not paying for the damaged book. I will restate each question with its response to immediately follow.

1. Would it be lawful for the Tunica County School District to adopt a policy stating that senior students who have completed all required course work and are otherwise eligible to graduate cannot walk in graduation and will not receive a diploma until all outstanding fines for missing or damaged textbooks have been paid?

This office finds no authority for a district to prevent a student from walking in the



graduation ceremony unless the student is lawfully suspended or expelled, but does find authority for the district to withhold the awarding of the physical diploma until such fines are paid. This office has previously opined that "a school board may with proper notice adopt a rule wherein further property belonging to the school may be withheld from a student who has lost, destroyed or damaged school property entrusted to him or her until such time as the student or parents reimburse the school for the property." See, MS AG Op., Chaney (January 18, 2000). Notice and an opportunity to be heard must be afforded.

2. Would it be lawful for the Tunica County School District to adopt a policy stating that no transcript or academic information will be released to any college or other educational institution for a graduating senior when that senior has outstanding fines for missing or damaged textbooks?

Yes. This office has previously opined that "a school board may with proper notice adopt a rule wherein further property belonging to the school may be withheld from a student who has lost, destroyed or damaged school property entrusted to him or her until such time as the student or parents reimburse the school for the property." See, MS AG Op., Chaney (January 18, 2000). Notice and an opportunity to be heard must be afforded.

3. Would it be lawful for the school to enforce a policy stating that it will not enroll a student in school until that student has paid for all outstanding fines for missing or damaged textbooks?

No. This office finds no authority for a school to deny a student enrollment for the above-described reasons, unless that student has been lawfully suspended or expelled.

4. Would it be lawful for the school to enforce a policy requiring any enrolled student to pay for fines for missing or damaged textbooks before that student can be issued any other textbooks?

Yes. See, Response to #2 above.

5. Would it be lawful for the school to enforce a policy that no child's grades be released to any individual or school for any reason and no child allowed to progress to the next grade level, regardless of whether the child has passed or failed, until that child has paid all outstanding fines for missing or damaged textbooks?

It is the Opinion of this office that the school would have the authority to not issue a report card or transcript to the individual or in the case of a graduating senior as described in your second question until such fines are paid. However, the school would have no authority to withhold grades or other information contained in a cumulative folder requested by another school for the purpose of enrolling the student in that school as such an action would have the effect of denying the student an opportunity to receive an education. Similarly, this office finds no authority for the district to not allow a child

to progress to the next grade level for failure to pay outstanding fines.

As stated in Chaney, there is not an exclusive remedy for schools to deal with students who damage or fail to return textbooks or other school property. Miss. Code Ann. Section 37-7-301 subsections (c), (e), (n), (ff), Miss. Code Ann. Section 37-11-19 and Miss. Code Ann. Section 37-11-53 provide schools with a variety of remedies to address lost or damaged textbooks. However, while a school does have the authority to impose disciplinary punishment against a student who damages school property (or to seek reimbursement from the student's parents), a school should not act in a manner that imposes an academic punishment on the student as described in Questions 3 and 5.

I hope that this information has been responsive to your request. If this office can be of further assistance to you, do not hesitate to contact us.

Sincerely,

MIKE MOORE ATTORNEY GENERAL

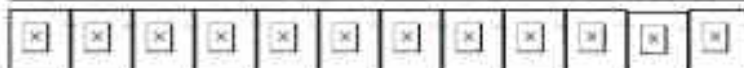
By:

T. Richard Roberson, Jr.

Special Assistant Attorney General

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# **2007-2008 TEXTBOOK ADMINISTRATION HANDBOOK**

**RULES AND REGULATIONS  
For the Adoption, Distribution, Care and  
Use of Textbooks in Mississippi**

**Part AA: NON-PUBLIC SCHOOLS**

## **Adoption Procedures**

**Mississippi Department of Education  
Instructional Programs and Services  
Office of Academic Education  
Office of Curriculum and Instruction  
Textbook Office  
P. O. Box 771  
Jackson, Mississippi 39205-0771  
Phone: 601.354.7543  
Fax: 601.354.7590**



### **Notice of Non-Discrimination**

The Mississippi State Board of Education, the Mississippi Department of Education, the Mississippi School of the Arts, the Mississippi School for the Blind, the Mississippi School for the Deaf, and the Mississippi School for Mathematics and Science do not discriminate on the basis of race, color, religion, national origin, sex, age, or disability in the provision of educational programs and services or employment opportunities and benefits. The following office has been designated to handle inquiries and complaints regarding the non-discrimination policies of the above mentioned entities.

Director, Office of Human Resources  
Mississippi Department of Education  
359 North West Street, Suite 359  
Jackson, Mississippi 39201  
(601) 359-3511

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## **PREFACE**

The State Textbook Law authorizes the State Board of Education "To promulgate rules and regulations for the purchase, care, use, disposal, distribution and accounting for all textbooks to be furnished under the terms of this chapter, and to promulgate such other rules and regulations as may be necessary for the proper administration of this chapter." Using the authority thus given, the State Board of Education has set forth in this **NONPUBLIC SCHOOL HANDBOOK FOR TEXTBOOK DISTRIBUTION, CARE AND USE** its rules and regulation for the operation of the textbook program in the nonpublic schools of Mississippi.

During the 1994 Session of the Mississippi Legislature, several changes were made in the textbook statute. This publication will give special attention to each of the statutory changes that affected the state-owned textbook program in nonpublic schools. Finally, each of the noted changes has been incorporated into the policies and procedures to ensure the effective operation of the textbook program in the nonpublic schools of Mississippi.

In summary, this publication has been designed to give a comprehensive outline reference for local school personnel to follow in the daily implementation of the textbook program in the nonpublic schools of Mississippi. Textbook issues not covered in the handbook should be discussed with members of the Textbook Office staff.

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<http://www.mde.k12.ms.us/SBE.htm>

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Kimberly D. Esco-Collins  
Division Director  
Textbook Office

Approved	
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## **INTRODUCTION**

Textbooks do not become the property of any one school but are state property on loan to students attending schools that meet minimum statutory and regulatory requirements. No textbooks are issued to individuals by the State Board of Education but are placed in the custody of the nonpublic schools to be issued to the students in attendance.

The textbook law gives the State Board of Education the authority to set up a plan for administering the textbook program. Recognizing the schools as the logical points of distribution, the Board has outlined in this TEXTBOOK ADMINISTRATION HANDBOOK its plan of administration of the state-owned textbook program for nonpublic schools.

The administration of the textbook program in nonpublic schools shall be the responsibility of the administrative head of the respective school. All such schools must be approved by the Commission on School Accreditation and must have been approved by the Northern District Federal Judge as demonstrating an open door, non-discriminatory policy with practice.

It shall be the responsibility of the administrative head to render all reports required by the Board, to issue textbooks to pupils on the state textbook card (MT-6), and maintain proper care and use of the state textbooks.

## **REQUIREMENTS FOR PARTICIPATION OF NONPUBLIC SCHOOLS**

Mississippi Code 37-43-1 requires that state adopted textbooks shall be distributed and loaned free of cost to the children of the free public schools of the state and of all other schools located in the state which maintain educational standards equivalent to the standards established by the Mississippi Department of Education for the state schools as outlined in the Nonpublic School Accreditation Requirements of the State Board of Education.

When a nonpublic school has verified compliance with all applicable nonpublic school standards, the Office of Accreditation will submit a request to the State Board of Education to award an accredited status to the school.

Once the school has received approved accreditation status, a letter requesting to receive textbooks should be submitted. The Textbook Office will provide the appropriate forms to document that the school operates in a non-discriminatory manner in its' admission and enrollment practices. The State Board of Education will review this data and determine if the school should be approved to receive textbooks. After the approval of the State Board of Education, the documents will be forwarded to the Northern U.S. District Court for final approval.

## **ADMINISTRATION**

The district superintendent appoints a staff member to serve as the textbook coordinator. The textbook coordinator supervises the local adoption process, the purchase of textbooks and completes reports requested by the Textbook Office. Since the implementation of the Textbook Inventory Management System (TIMS), the textbook coordinator may also be responsible for the management of this system. The following is a job description that may be used by the district to describe the textbook coordinator's activities. If for some reason a different person manages TIMS, we ask that the other staff position be referred to as the TIMS Contact Person.

- I. Assist the Textbook Office with the reporting process by submitting the following forms:
  1. Form C – due on October 1 (this lists the Local Textbook Selection Committee members) and is to be submitted online at [www.mde.k12.ms.us/textbooks](http://www.mde.k12.ms.us/textbooks).
  2. Report of the local adoption results, due 35 days after the local hearing.
  3. End of year closeout process – Active Inventory, Surplus Inventory, and Request to Dispose of Unusable Textbooks. Report to be submitted in Textbook Inventory Management System (TIMS) no later than June 15.
  4. The form to suggest possible State Rating Committee members, due mid-June.
- II. Assist with State Adoption Rating Committee member.
  - A. If the district has a State Rating Committee member, assist with providing release time for the person to attend the orientation meeting with publisher presentation.
  - B. Provide release time for the review of materials and storage if needed.
- III. Assist with the adoption process at the district level.
  - A. Make sure that the Local Selection Committee is informed about the local hearing and can attend the meeting.
  - B. Work with the Local Selection Committee members so that they understand how to evaluate textbooks and that they work together as a committee.
  - C. Work with the committee to make sure "Official Local Adoption Examination Copies" are returned to the depository.
  - D. Meet with committee after the hearing to complete the ballot.
- IV. Assist with the ordering process for the district.
  - A. Assist with the allocation of funds needed by each school.
  - B. Review the purchase orders before sending to the depository.
  - C. Make sure the policies of the local board are followed as it relates to the purchase of textbooks.



## **TEXTBOOK ADOPTION SUMMARY**

The schools of Mississippi follow a five (5) year adoption cycle with the right of the board, in its discretion, to renew or extend the contract from year to year for a period not exceeding two (2) additional years, (Section 37-43-19 (c), Mississippi Code of 1972, Annotated). The detailed steps of this process are as follows:

- Subject areas are designated as current according to the Adoption Cycle Schedule.
- The Mississippi Department of Education distributes the curriculum standards.
- The publishers submit books for bid that meet the standards.
- For each subject area, the submitted books are reviewed by a seven-member State Rating Committee. The committee is comprised of four members appointed by the State Superintendent and three members appointed by the governor.
- The books that are adopted must satisfy at least of 80% of the curriculum standards. A contract is entered into with the publishers and a contract price is established for each book for a period of five years with the right of the board, in its discretion, to renew or extend the contract from year to year for a period not exceeding two (2) additional years (Section 37-43-19 (c), Mississippi Code of 1972, Annotated).
- For each subject area, up to eight programs are adopted to provide a variety of choice for the individual schools.
- Copies of the adopted books are sent to each school district for administrators and teachers to review.
- During the State Caravan, School Book Supply Company and the publishers travel throughout Mississippi to provide each school district the opportunity to hear presentations about the newly adopted books. The advantage to this approach is that it provides teachers, administrators, and parents from all districts full access to the newly adopted textbooks regardless of the location or size of the district.
- After reviewing the books and attending the presentations on State Caravan, the districts decide which books they want to use in their schools.
- Districts then purchase the selected textbooks through the depository or directly from the textbook company.

This is a summary. A detail explanation on the adoption process can be found in Part B of the Textbook Adoption Handbook at <http://www.mde.k12.ms.us/Textbook/textbooks.htm>.

## **ACQUISITION/REQUISITION**

State-owned textbooks may be procured in a variety of ways. However, all requisitions for nonpublic schools utilizing state funds must flow through the Textbook Office in the Mississippi Department of Education. Please find listed below, the approved methods and procedures to follow in the procurement of state-owned textbooks.

### **I. STATE-ADOPTED TEXTBOOKS:**

Textbooks that are on the state-adopted list may be procured through the Mississippi Department of Education from the publishers' depositories. Remember, the Textbook Office in the MDE must approve all requisitions.



Textbooks that are listed on the state-adopted list may be procured through the Textbook Office in the Mississippi Department of Education directly from the publisher. Schools wishing to use this procurement provision must obtain a Textbook Order Form from the website at [www.mde.k12.ms.us/textbooks](http://www.mde.k12.ms.us/textbooks), complete it, and return it to the Textbook Office for processing. Schools are reminded that textbook law requires that a district not pay more for a textbook procured from the publisher than the price stated in the current state-adopted catalog.

## **II. NON-ADOPTED TEXTBOOKS:**

Textbooks that are not state adopted may be purchased by the nonpublic schools through the Mississippi Department of Education directly from the publisher or vendor as is appropriate. Schools desiring to utilize this provision should submit any such request on Textbook Order Form from the website at [www.mde.k12.ms.us/textbooks](http://www.mde.k12.ms.us/textbooks). While there are no review requirements associated with this procurement method, schools are encouraged to develop a review and evaluation plan to ensure that quality textbooks are being purchased.

## **III. PURCHASING PROCEDURE:**

To ensure that internal controls are in place to document the most efficient use of taxpayer dollars, nonpublic schools are required by the Mississippi Board of Education to follow the state bid requirements established by Miss. Code 31-7-13, Annotated 1972. The Mississippi Board of Education also requires that nonpublic schools comply with the procedures set forth in the Department of Finance and Administration's Procurement Manual, Section 3.202 when purchasing non-adopted textbooks.

Textbooks that are adopted are placed under state contract. Textbooks under state contract are exempt from the bidding process.

## **IV. BIDDING REQUIREMENTS**

- A. \$0-\$3,500 – Purchase from any vendor.
- B. \$3,500 – \$15,000 – Obtain two (2) or more written quotes. Facsimiles and email are acceptable.
- C. Over \$15,000 – Must be advertised. Allow 3 ½ to 4 weeks for bid to be awarded.

Note: The bid dollar limits do not include shipping or freight costs.

## **V. PURCHASES OVER \$15,000**

- A. Nonpublic schools that purchase non-adopted textbooks in excess of \$15,000 are required to maintain sealed bid supportive documentation for three (3) years after the audit report is released. If a purchase is in litigation, the files shall be maintained until resolved.

- B. The documentation is required to support award decisions, assure approvals, compliance with regulations, and sustain any reviews or litigation. Documentation should include but is not limited to the following: Bid List, Bid Opening Sign-In Sheet, Bidders Spreadsheets, Witness Signature, Requisition, Notice to Contract Procurement Center\*, Public Notice to Newspaper, Bid Specifications, Original Bids, Bid Envelopes, Bid Addendum, Proof of Advertisement, Bid Evaluation and Award by the nonpublic school, Approval Form or Letter from Textbooks, and Award Letter.

\*The Mississippi Contract Procurement Center is a non-profit corporation that assists Mississippi business with bid notifications. Mississippi Code, 31-7-13 (c) (i) requires that 1) purchases over \$15,000 be advertised in a newspaper once per week for two consecutive weeks and 2) that the same notice sent to the newspaper is also mailed or electronically sent to the main office of the Mississippi Contract Procurement Center.

Mississippi Contract Procurement Center  
1636 Poppo's Ferry Road, Suite 229  
Biloxi, MS 39532  
Telephone: 228-396-1288  
FAX: 228-396-2520  
Email: mprogoff@mscpc.com

## **VI. SOLE SOURCE TEXTBOOK PURCHASE**

- A. Textbooks that are sold by only one supplier or one source may be purchased without competitive bids. The Textbook Office must approve the sole source purchase. In addition to prior approval by the Textbook Office, the procedures listed must be followed.
- B. Each school must provide written certification of the conditions and circumstances that require the purchase.
- C. The requesting school will complete the Mississippi Department of Education Special Circumstances Approval Form, Mississippi Department of Education/SC-1, for sole source textbook purchases. The designated school official must sign the Mississippi Department of Education/SC-1 form.
- D. The requesting school will submit a letter from the vendor on company letterhead stating that the particular textbook supplier is classified as a sole source. The letter must be signed and dated.
- E. The Textbook Office will review and approve the sole source purchase.

- F. The Textbook Office will return the approved Mississippi Department of Education/SC-1 form to the requesting school. Documentation should be maintained with the purchasing files.

## **VII. USED TEXTBOOKS**

Used textbooks, both adopted and non-adopted, may be procured through the Textbook Office in the MDE. Form MT3 must be completed and submitted to the Textbook Office, who will submit the order to vendors of used textbooks.

Textbooks purchased from used textbook companies will not receive a free teacher edition or any other ancillary materials that are listed as free under state contract. Please be aware that textbooks purchased from used textbook companies may be first editions or first printing and may contain errors.

## **VIII. PETITION TEXTBOOKS**

Textbooks may be procured through the petition process. Since the recent revision in the textbook law has eased procurement requirements for non-adopted textbooks, it is quite likely that this provision is no longer desirable or feasible. However, if a school or schools, depending on the circumstances, should choose to go the petition route, the State Board of Education will be glad to consider the petition for possible approval.

## **IX. CASH PURCHASES**

If a nonpublic school desires to use funds other than state textbook funds for the procurement of textbooks, all such requisitions and/or purchase orders should be submitted directly to the depository, publisher, or used textbook vendor.

## **X. INCOMING SHIPMENTS**

It is suggested that each nonpublic school develop and follow a plan that would ensure all incoming textbook shipments have been received in an orderly manner.

# **INSTRUCTIONS FOR HANDLING INCOMING TEXTBOOK SHIPMENTS**

## **I. SCHOOL'S RESPONSIBILITY**

Each school should designate someone at each school to serve as textbook custodian. Usually this will be the principal, but it could be a teacher or other school employee.



## **II. CUSTODIAN'S RESPONSIBILITY**

The custodian is accountable for all textbooks shipped to the school. Therefore, he/she should personally accept and check all incoming shipments of textbooks requisitioned through the state-owned textbook program. If the custodian cannot accept and check shipment, the responsibility should be delegated to someone that is thoroughly competent and has a comprehensive understanding of the textbook procurement process.

## **III. CHECKING IN FREIGHT SHIPMENTS**

When the freight company secures a signed delivery receipt without any exceptions being noted on it, the shipping company is automatically released of its liability for losses in the shipment. Therefore, it is imperative that the total number of cartons delivered to the school be accurately counted before a shipment is accepted.

## **IV. SHORTAGE IN FREIGHT SHIPMENTS**

The number of cartons missing should be plainly marked on all copies of the delivery receipt before they are signed. Do not sign for any shipment unless a copy of the receipt is provided for the school's files. Do not sign for a complete shipment contingent upon the shipper's promise to locate the missing cartons later.

## **V. DAMAGED CARTONS**

If there is evidence that any cartons have been damaged by rough handling or in any other way, damages should be noted on all copies of the delivery receipt. If it is later found that some of the textbooks have been damaged, the appropriate publishers' depository should be notified so that the books may be replaced. If the books are being procured from a publisher or other vendor, then the appropriate business should be notified. If it is not possible to reach the depository, publisher or other vendor, please contact the Textbook Office at (601) 354-7543.

## **VI. CHECKING TEXTBOOKS**

The publishers' depositories for publishers with state-adopted textbooks in Mississippi will include with each shipment a copy of the packing slip that will indicate only the textbooks contained in the shipment. Backorders and textbooks shipped previously will not be listed on the packing slip. As soon as possible, after the receipt of the shipment, all cartons should be opened and checked against the packing slip. As each carton is opened, please make sure that the name of the receiving school appears on each box. Otherwise, the shipment of textbooks may belong to another school and the shipment will not check with the packing slip.

## **VII. DIFFERENCE OF PACKING SLIP AND SHIPMENT**

If it is found that the quantity of textbooks ordered does not check with the number and title listed on the enclosed copy of the packing slip, make a recheck to verify the original count. If this recheck shows the same error as the first count, please notify immediately, the depositories, publishers or vendors of the discrepancy. If the error relates to an overage, do not take any disposition action until so instructed by the depository. If you are unable to reach the depositories, publishers or vendors, please contact the Textbook Office at (601) 354-7543.

## **VIII. BACKORDERS**

If the depository is out of stock of any title included on a requisition, it will be noted on the green invoice that will be received from the publishers' depository approximately one week after the textbook shipment. Any title that is on backorder will be shipped as soon as stock becomes available. If a school desires to cancel an existing backorder, please notify the publishers' depositories or vendor. Also, please feel free to discuss any problems that the school may be experiencing because of backorders that have not been filled in a timely manner.

## **IX. GREEN INVOICES**

The green invoice provides proof that the requisitioned textbooks have been properly received in the local school; therefore, each green invoice must be on file in the Textbook Office in the MDE. When a determination has been made that the shipment has been satisfactorily received, the custodian of textbooks should sign each green invoice and return it to the Textbook Office, Mississippi Department of Education, P. O. Box 771, Jackson, MS 39205-0771. Please return each green invoice soon after the receipt of the textbooks. **Do not hold the invoices until the end of the year before returning them.**

## **X. DEFECTIVE TEXTBOOKS**

Occasionally, the textbooks that may be defective in workmanship will be received. If one or more defective textbooks are received, the school should notify the depository and request immediate replacement of any defective textbooks. If this is not convenient, please contact the Textbook Office in the Mississippi Department of Education at (601) 354-7543.

## **XI. STAMPING AND MARKING TEXTBOOKS**

Please do not stamp the school name, number, or students' names in textbooks until it is positively determined that the books received are the ones that were actually ordered and needed for that particular course. A depository will not accept for return textbooks that have been stamped or marked.

## **XI. SOLE SOURCE (FORM SC-1)**

This form must be used when requesting special circumstances approval to purchase textbooks from only one source.

## **FUNDING**

Funds for the procurement of textbooks distributed through the Mississippi Department of Education must be used to purchase items that meet the definition of a textbook as stated in Section 37-43-1:

**“Textbook shall be defined as any medium or manual of instruction which contains a systematic presentation of the principles of a subject and which constitutes a major instructional vehicle for the subject.”**

### **I. DISTRIBUTION**

The Mississippi Legislature will annually appropriate funds to the Mississippi Department of Education for the procurement of textbooks. The funds will be distributed to the nonpublic schools on a per-pupil basis based on the average daily attendance for the entire nine months of the previous school year for grades K-12. The per-pupil amount will be the same for public and nonpublic schools. All textbook funds may be utilized to procure textbooks in accordance with the policies contained in this handbook. Textbook funds for nonpublic schools will be issued as credit that may be used to procure state-owned textbooks.

### **II. FREIGHT COST**

Each nonpublic school will be responsible for the payment of the freight costs incurred in the shipment of the textbooks to the local school or district. This cost will be charged against the school's allocation.

### **III. CARRYOVER**

All unexpended credit on hand on June 30 for a respective nonpublic school will be carried over for the expenditure for state-owned textbooks in the next school year.



## **ACCOUNTING**

### **I. OWNERSHIP**

All textbooks are the property of the State of Mississippi and are on loan to the nonpublic school from the Mississippi Department of Education. Each school must make available for transfer all textbooks that have been declared surplus by the nonpublic school.

### **II. ISSUANCE OF TEXTBOOKS**

The label on the inside cover of each textbook shall be completed before the textbook is issued to the pupil. Duplicate textbooks cards (MT-6) shall be made for all pupils receiving textbooks. These cards shall be completed so that the identity and condition of the textbooks are clearly shown. After the parent's signature has been obtained on the card, the pupil shall be issued the textbook. At the end of the session, upon the student's transferring to another nonpublic school or at any time ordered by the teacher or the administrative head, all books shall be returned by the pupil; and the textbook card, signed by the teacher, shall be given him/her as a receipt. The pupil shall present the card upon re-enrollment at the nonpublic school next attended before any textbooks are issued to him/her.

### **III. REPLACEMENT OF TEXTBOOKS**

If at any time during the session the pupil loses a textbook, he/she shall be charged a replacement fee. The replacement fee charged the student must meet the statutory requirements of Section 37-7-301 (ff) of the Mississippi Code of 1972, which states:

**"As part of their duties, the local district school boards may require that parents/legal guardians be responsible for the textbooks and for the compensation to the school district for any textbooks that are not returned to the proper schools upon the withdrawal of their dependent child. If a textbook is lost or not returned by any student who drops out of the public school district, the parent or legal guardian shall also compensate the school district for the fair market value of the textbooks."**

### **IV. DAMAGES**

Administrators and teachers distributing the textbooks to pupils in nonpublic schools are authorized to collect for any damage to, or excess wear of, textbooks. The amount collected should be determined by the extent such damage has impaired in the future use of the textbook and should be sufficient to impress upon parents and students the necessity of the proper care of state-owned textbooks. It is recommended that the collection be based on a percentage of the depreciated cost of the textbook and that a chart be developed by the nonpublic school for this purpose to bring about equalized charges among all classes and schools in the system. All money thus collected shall be transmitted to the Textbook Office in the Mississippi Department of Education.

All fine and damage collections shall be reported on the proper form (MT-8) and the money sent to the Textbook Office in the Mississippi Department of Education. If a student pays a fine based on the total cost of the textbook, the book then belongs to the student. All fines and damages received in the MDE will be credited back to the respective nonpublic school system in which they were collected for expenditure in the collecting school.

## **V. INVENTORY**

An annual inventory of usable, unusable, and surplus textbooks shall be conducted and submitted to the Mississippi Department of Education by June 1 of each year.

## **VI. SALES**

The State Textbook Law, Section 37-43-33 of the Mississippi Code of 1972 provides that parents, persons or school boards may purchase textbooks directly from the publisher's depository. The price of books shall be at contract price plus whatever postage or delivery charges might accrue.

## **VII. NON-PREVENTABLE LOSSES**

In the past whenever textbooks were lost through non-preventable causes such as tornado, fire, theft or hurricane, funds were maintained at the state level to replace the destroyed state-owned textbooks. Since this emergency fund is no longer maintained, nonpublic schools are encouraged to maintain a contingency fund or plan to utilize in the replacement of textbooks in the event of a disaster occurring in a school. Further, schools are reminded to delete textbooks that may have been destroyed from their current inventory.

# **DISPOSAL OF UNUSABLE TEXTBOOKS**

- A. **DETERMINATION OF DISPOSABLE TEXTBOOKS** – Each nonpublic school will determine if textbooks are unusable. Textbooks may be unusable because they are twelve years or older, or not relative to current curriculum framework or the textbooks may be physically worn-out to the point that it is not feasible or practical for continued use. Before a school district disposes of textbooks, it must be approved by the Superintendent and the information must be entered into the Textbook Inventory Management System (TIMS) and then forwarded to the director of the Textbook Office for final approval.
- B. **METHODS OF DISPOSAL** – Several approaches are available for the disposal of unusable textbooks. Listed below are methods in priority order of consideration:
  - 1. Priority should be providing the unusable textbooks to students presently in attendance. School districts should maintain records regarding the number of textbooks disposed of through this method.



2. Unusable textbooks can be sold to a debinding company for paper-recycling purposes. Any funds received for the sale of textbooks through this provision shall be credited back to the school that sold the textbooks for use in the purchase of additional textbooks. Because of the small price paid for the textbooks by debinding companies, this method is not very practical unless a district has a large quantity of unusable textbooks for disposal. Records must be maintained by the district relative to the number of textbooks disposed of through this method.

**NOTE:** The Mississippi Department of Education will attempt to assist local districts in the location of a company that would purchase the textbooks for debinding and subsequent recycling of the paper. Contact information is listed at the following website: <http://www.mde.k12.ms.us/Textbook/textbooks.htm>. School districts are not required to use such company recommended by the MDE. Each district has the discretion and authority to secure its' own debinding company.

3. Unusable textbooks can be donated to local non-profit organization. Any non-profit organization desiring to receive unusable textbooks must make application to the local school board from which it desires to receive the donated textbooks. This application should detail the plans and intentions relative to the future utilization of the donated textbooks along with background information on the non-profit group. As part of the application to receive books a copy of their IRS designation should be requested. When the IRS gives a designation of a 504-3-C, you can be assured that this is an approved non-profit organization. In no case may textbooks be donated to any group without prior approval of the local school board of the district from which the textbooks are being requested. School districts should maintain records of the textbooks disposed through this method.

**NOTE:** School districts desiring assistance with the application process for the donation of unusable textbooks to non-profit groups should contact the Textbook Office in the Mississippi Department of Education. Further, districts are encouraged to utilize much discretion in the donation of textbooks to agencies outside the public domain so as not to conflict with other regulatory requirements placed upon local districts.

4. Unusable textbooks can be donated to national non-profit organizations for distribution to Third World and similar countries. Several factors should be taken into consideration when one is making donations of unusable textbooks.
  - a. All donations should involve non-profit or similar agencies that will place the textbooks in Third World countries or in an area that experiences a vast depravity as far as instructional materials are concerned.
  - b. All agencies interested in receiving donated unusable textbooks must first complete and submit to the school district a written application. An example of an application form may be secured from the Textbook Office.



- c. All applications must be approved by the local-school board prior to the donation of any unusable textbooks to any agency submitting such application.
  - d. School districts are urged to use extreme discretion in the donation of unusable textbooks so as not to enter into a conflict with other legal requirements.
5. If none of the above-listed disposal methods is practical or feasible, the unusable textbooks may be destroyed in the most convenient manner. However, districts are encouraged to use one of the other disposal methods when it is possible.

**Regardless of which method is used, it is suggested that records be kept of inventory, date, and method used to dispose of unusable textbooks.**

### **SURPLUS TEXTBOOKS**

For several years the surplus textbook program has been quite popular and beneficial to schools throughout the state. Basically, a surplus textbook is one that is still in good physical condition but is no longer being used in the school usually because of the fact that it has been updated. In most situations, the surplus textbooks will be from a previous adoption and may be much more current than those being used in some districts. We ask that books with a copyright of 12 years of age or less be kept in the surplus book program. Since this program has been so successful in meeting the textbook needs of schools throughout Mississippi, it is being continued.

**STEPS TO BE FOLLOWED IN THE SURPLUS TEXTBOOK PROGRAM** – In order for the surplus textbook program to operate in a smooth and efficient manner, local school districts are required to use the following steps:

- A. Each school shall update the inventory of surplus textbooks at the conclusion of each school year. The inventory update shall be entered into the Textbook Inventory Management System (TIMS) and must be completed no later than June 15 of each year. If changes are made during the year, the system must be updated.
- B. Schools that need surplus textbooks should go to the Textbook Inventory Management System (TIMS). Select the request screen and make the surplus inquiry. The ISBN should be entered into the system along with the quantity needed. This is a request system not a **SEARCH** tool. Request one ISBN at a time.
- C. Once the needed textbooks have been located in Textbook Inventory Management System (TIMS), contact the district textbook coordinator and ask that the request be approved. The district textbook coordinator will indicate the approval in the system under Inquire/Modify requested and contact the district that owns the textbook to ask if the district will release the books.
- D. The district that owns the books will approve the surplus transfer in the system by going to the approval surplus transfer screen.

- E. This is a district-to-district function. At no time should a principal call schools to ask if they have books and if they will release the books that they own.
- F. If the proper process is not followed, the ending inventory of two districts will not be correct.
- G. All freight costs incurred in the transfer of the surplus textbooks will be paid by the receiving school/district. Shipping arrangements should be made before approval is given. PLEASE do not ask the district sending the textbooks to pay the shipping costs. All books should be prepaid or picked up.

## **TEXTBOOK USE**

**PUPIL USE** – Please be reminded, that teachers should permit all pupils in all grades of any school to carry textbooks to their homes for study. This is based on the following excerpt from Section 37-43-1 of the Mississippi Code of 1972:

**“Teachers shall permit all pupils in all grades of any public school to carry to their homes for home study, the free textbooks loaned to them, and any other regular textbooks whether they be free textbooks or not.”**

**HOME SCHOOL PUPIL USE** - House Bill 308- requires a local school board to make available to parents or legal guardians of any school-age children who reside in a school district, upon request, any textbook(s) on the state surplus inventory list. The parent or legal guardian is responsible for the return of the textbook(s) to the district upon completion of use of the textbook(s) or they will be required to compensate the district for the fair market value of the textbook(s). Effective Date: July 1, 2006. Local school districts can contact the Office of Textbooks for an example of a suggested home policy.

## **PROCEDURE FOR COMPLAINTS/OBJECTIONS**

Any person may file a written objection to any textbook adopted or proposed for adoption for use as a free textbook in Mississippi. The written objection shall set forth clearly and specifically by direct reference to page and paragraph the material to which objection is made, together with a concise statement of the reasons for the objection. Also, any person may file a written complaint of an alleged violation of the Textbook Administration Handbook Rules and Regulations. The written objection shall be mailed or delivered to the Director of Textbooks, who shall promptly send a copy to the Director of OET, who shall forward to the State Superintendent of Education, and to the publisher affected. The publisher shall provide a written response and/or request for hearing before the Mississippi Board of Education within twenty (20) days after receipt of the written objection by the Director of Textbooks. If the Director of Textbooks does not receive a response within the twenty (20) day time period, the publisher's right to a hearing is deemed waived. The Director of Textbooks shall, within sixty (60) days after receipt of the written objection and after a thorough investigation, submit a written report to the Superintendent of Education recommending such action as the Director of Textbooks and OET deems appropriate.



and the reasons for such recommendation. The Superintendent of Education may make a recommendation to the Mississippi Board of Education. The decision of the MBE may be basis of the written objection, the written response to the publisher, and the written report of which the person objecting or who filed a complaint, the publisher involved and any other interested persons may be requested to appear. The decision of the Mississippi Board of Education shall be made promptly, and notice of the decision shall be furnished to all interested parties within a reasonable time period.

## **LARGE-PRINT AND BRAILLE TEXTBOOKS**

Large-print and Braille textbooks may be obtained through the Mississippi School for the Blind by any school that has students that are visually handicapped. Inquiries for large-print and Braille textbooks should be submitted to:

Mississippi School for the Blind  
Mr. Kevin Klinard  
1252 Eastover Drive, Adm. Bldg. Room 300  
Jackson, MS 39211  
Phone: (601) 984-8226

At the close of the school term, all large-print and Braille textbooks must be returned to the Mississippi School for the Blind. They are to be returned through the United State Post Office and marked: **READING MATTER FOR THE BLIND – FREE – 138.32 – 138.92**. If the package containing the large-print and Braille textbooks is labeled in this manner, there will be no cost for the shipping. **DO NOT** ship the books back freight collect by freight line or UPS.

### **REMEMBER**

- Large-Print and Braille books should be returned to the Mississippi School for the Blind at the address stated above.
- **PLEASE DO NOT** ship or deliver any large-print or Braille books to the Textbook Office in the Mississippi Department of Education.

## **REBINDING OF TEXTBOOKS**

Contact information for rebinding companies is available at the following website: <http://www.mde.k12.ms.us/Textbook/textbooks.htm>. School districts are **not** required to use such company recommended by MDE. Each district has the discretion and authority to secure its' own rebinding company. The cost for rebinding may be paid from funds that you use for the purpose of the purchase of textbooks.



## **DEFECTIVE TEXTBOOKS**

For those textbooks that are on the state-adopted list, schools are reminded that these textbooks must be built by very rigid construction specifications. The contract between the publisher and the Mississippi Department of Education requires that the adopted textbooks must continue to measure up to these construction standards. Therefore, any school that fails to receive defective textbook replacement assistance from the publisher should contact the Textbook Office in the MDE. Schools are also reminded that the issue of defective, used textbooks should be discussed with the vendor from which the used textbooks were purchased.

- I. When the school receives defective textbooks, the depository or publisher from which the textbooks were purchased should be contacted with a request to replace the textbooks. Contact the depository or publisher before returning defective textbooks for instructions on the method of return.
- II. Textbooks may become defective after they have been in use for a while. Usually defects will take the form of pages falling out of the textbooks or covers coming loose from the book block. Normally, if there is a defect of this type in workmanship, it will usually become noticeable within the first two or three years of use. The school or school system should contact the depository or publisher, discuss the problem, and seek replacement of the defective textbooks. Publishers/vendors are usually cooperative in the replacement of defective textbooks and are most interested in removing defective textbooks from the school setting.

## **CASH ORDERS**

Nonpublic schools should not send any cash orders for textbooks to the Mississippi Department of Education. All orders should go to the depository, publisher, or the vendor in the case of used textbooks. Only orders that are to be charged against the school's credit allocation should be sent to the Textbook Office in the Mississippi Department of Education.

## **TEACHER EDITIONS AND COMPLIMENTARY MATERIALS**

In recent years, it has become a common practice for publishers to provide complimentary materials as well as teacher editions when a school purchases a publisher's textbooks.

- I. Publishers with state-adopted textbooks are required to provide teacher editions when available, to accompany the student editions requisitioned by the school.
- II. Publishers are required to list on the textbook bid form all complimentary materials along with the terms and conditions under which the materials will be given to the schools. This information is a part of the contract entered into between the MDE and the publisher. This information is also on file and may be found in the Textbook Catalog as well as on the MDE web page.

- III. If a school fails to obtain the promised complimentary materials, the school should contact the Textbook Office in the Mississippi Department of Education. Schools are reminded that publishers/vendors will not be permitted to give away or promise free materials not certified on their bid form. The provision of free material will be in accordance with the terms and conditions included on the bid form and contract.
- IV. School district personal should be reminded not to ask a publisher to provide materials as a part of an adoption that is not listed on the company bid. Please do not ask to "make a deal." This type of request is a violation of the contract between the Mississippi Department of Education and the company. Also a company representative should not promise items that are not a part of the bid.

## **FORMS**

Several forms are utilized in the implementation of the state-owned textbook program. Please find a listing of the current forms:

### **I. TEXTBOOK LABEL (MT-1)**

This property label is used for textbooks after the original label is no longer usable. The Textbook Office in the MDE will continue to maintain a stock of both and will distribute labels to the schools upon request.

### **II. REPORT ON DEFECTIVE TEXTBOOKS (MT-5)**

This form is utilized for providing information regarding defective textbooks to the depository or publisher. This form is available upon request from the Textbook Office in the MDE. Please note that the report should be submitted to the depository or publisher and only to the Mississippi Department of Education as a last resort. However, if a school experiences difficulty in the replacement of defective textbooks, please feel free to contact the Textbook Office.

### **III. TEXTBOOK CARD (MT-6)**

This card is used for issuing textbooks to students. This permits the school to keep a record of the students to whom the textbooks have been issued.

### **IV. RECORD OF REFUND (MT-8)**

This form is used to accompany the remittance of collections for fines and damages to the Mississippi Department of Education.



## **V. SOLE SOURCE (FORM SC-1)**

This form must be used when requesting special circumstances approval to purchase textbooks from only one source.

## **BACKORDERS**

From time to time, there will be situations where a state-adopted textbook may be on back order when a school submits a requisition. Hopefully, backorders will be somewhat of a rarity and it is hoped that the depository and the respective publisher will work together to stock the textbook as expeditiously as possible. However, when a school district experiences a lengthy delay in the filling of a backorder, the Textbook Office in the Mississippi Department of Education should be contacted and notified. This action is essential since it is possible that the Textbook Office may not be aware when lengthy backorders occur because of the fact that only requisitions from nonpublic schools flow through the MDE.

## **PETITION PROCESS**

Section 37-43-31 of the Mississippi Code of 1972 contains a provision whereby five or more school boards may petition the State Board of Education to add a book or series of books to the state-adopted list. With the implementation of the statutory provision in 1994 that permits a school to procure non-adopted textbooks, this provision may no longer be practical or feasible for schools to follow in the procurement of non-adopted texts. However, if a school so chooses to petition the State Board of Education, the following policies and procedures should be adhered to:

- I. Nonpublic schools may petition the State Board of Education to allow for the requisition of non-adopted textbooks.
  - a. Five or more school boards may petition the State Board of Education to add one or more textbooks or series of textbooks to the approved list of state adoptions. The State Board of Education will have sixty days to act upon the petition and if it is not acted upon in this time period, the petition shall be deemed as approved.
  - b. A school may petition for the requisition of "new and innovative" textbooks that have become available since the last textbook adoption in the respective subject area.
- II. Consideration shall be given to the nonpublic schools when petition requisitions are submitted under any of the following provisions.
  - A. Each school that submits a petition must secure at least one copy of each textbook included in the petition for review and evaluation purposes. Each nonpublic school submitting a petition shall select a committee of no fewer than three individuals to review and evaluate each textbook or series included in the petition. These



individuals must have expertise in the subject area being reviewed, and at least two of these individuals must be teachers. Each reviewer/evaluator shall utilize and submit a review for provided by the Mississippi Department of Education.

- B. Each school submitting a petition shall provide a rationale as to why currently adopted textbooks are not sufficient to meet the needs for the courses for which the non-adopted textbooks are intended.
  - C. Each school submitting a petition under the "new and innovative" provision (Item I, provision B) must provide evidence that the petitioned textbooks meet both the "new and innovative" requirements.
  - D. All textbooks requisitioned through this process shall be purchased by the petitioning districts. Schools may submit petitions at any time during the school year.
  - E. Each school submitting a petition for non-adopted textbooks shall receive approval of its board prior to submission, and it must state on the petition the date of such board action.
  - F. Each district submitting a petition request shall state on the petition the quantity of each title petitioned along with information regarding the publisher.
  - G. Publishers having textbooks adopted through item I, provisions A and/or B, must be willing to submit a bid, execute a contract and bond with the state of Mississippi, and provide a stock of books in their Mississippi depository sufficient to meet all reasonable demands. Consequently, schools must initially determine if the publisher whose textbooks are being petitioned will be willing to meet all of these requirements before submitting a petition. Each publisher whose textbooks are petitioned must supply one copy of each student and teacher edition to the Textbook Office in the Mississippi Department of Education to be used for review purposes; and the textbook is subsequently approved by the SBE, it will be placed on file for review. Contracts entered into with publishers of successfully petitioned textbooks will have the same expiration dates as all other textbooks in like subject areas.
- III. The Mississippi Department of Education shall designate one person, having expertise in the respective subject area(s) for which textbooks are petitioned, to review the petition and the textbook for recommendation to the SBE. The SBE will recommend appropriate action to be taken regarding the addition of the textbooks to the list of state adoptions.
  - IV. Schools receiving State Board of Education approval on petitions will be notified promptly, and action will be taken to add the requested textbooks to the state-adopted list as soon as possible.
  - V. Every textbook approved through the petition process as listed in item #I, provisions a and b, must be submitted at the next regularly scheduled textbook adoption for the respective

area concerned. Failure of the textbook to make the state-adoption list will result in the textbook's becoming unavailable for purchase through the petition process.

## **DISTANCE LEARNING AND ADVANCED PLACEMENT TEXTBOOKS**

Textbooks needed for use in distance learning and advanced placement courses should be procured by the school directly from the depository, publisher or vendor of the textbooks by submitting a requisition to the Textbook Office in the MDE.

## **RETURNS**

Schools are reminded that any unused textbooks should be returned to the depository, publisher, or vendor from which they were purchased.

Textbooks purchased during a fiscal year must be returned during the same year of purchase in order to receive credit from School Book Supply Company of Mississippi. Any textbooks that are not returned by June 30 of the fiscal year shall not be returned for credit. These textbooks, if not to be used by the purchasing school district, must be placed on the surplus textbook list.

Textbooks may no longer be returned to School Book Supply Company of Mississippi for credit if they have been marked or bar-coded. Opened kits may not be returned either.

## **RETURNING TEXTBOOKS FROM INELIGIBLE NONPUBLIC SCHOOLS**

If any nonpublic school fails to maintain approval by the State Board of Education, it will be necessary for all state-owned textbooks to be returned. Procedures for the return of state-owned textbooks from ineligible nonpublic schools are outlined below.

- I. All nonpublic schools that are ineligible for participation in the state-owned textbook program shall return all state-owned textbooks to the Mississippi Department of Education or its designee.
- II. Nonpublic schools whose eligibility expires by the December meeting of the State Board of Education of any year shall have until the following June 30 to complete the return of its state-owned inventory to the MDE.
- III. Each ineligible nonpublic school will be supplied no later than May 1 with a listing of its current textbook inventory as reflected by the most recently submitted inventory plus an inventory of all textbooks procured since the last inventory was filed. Any discrepancies between the inventory of the school and that of the MDE must be justified in writing.

- IV. During the month of July after the loss of eligibility of the nonpublic school, MDE staff will be available to assist each nonpublic school in inventorying and packaging textbooks for return to the MDE. As the textbooks are packed, a detailed accounting will be made jointly by the school and the MDE staff. **Under no circumstances should the nonpublic school pack and return textbooks without the involvement and assistance of MDE staff.**
- V. Once the textbooks are packed and reconciled with the MDE inventory for each respective school, the cartons will be sealed and numbered. Once this action is completed, a tentative receipt will be provided the nonpublic school by the MDE staff. The MDE will notify a truck line to pick up the textbooks for return to the MDE or its designee. All shipping costs incurred in the return of the textbooks will be paid by the MDE. Once the textbooks are returned, a formal official receipt will be given to the nonpublic school.



## **CALENDARS**

Please note that the following calendars are for quick reference only. The Mississippi Department of Education reserves the right to make corrections in the dates.

### **2007 ADOPTION CALENDAR FOR LOCAL SCHOOL SYSTEMS**

<i><b>DATE</b></i>	<i><b>ACTIVITY/DEADLINE</b></i>
<b>August 31, 2007</b>	Each school district will be mailed a Form C on which to list the names and schools of individuals selected to serve on the local selection committee for each of the instructional areas included in the adoption. The name and address of the one person to receive the official examination copies will also be indicated on Form C.
<b>September 28, 2007</b>	The completed <b>Form C</b> is due to the Mississippi Department of Education, Textbook Office.
<b>December 13-14, 2007</b>	Textbook adoption is announced by the State Board of Education.
<b>January 7, 2008- January 31, 2008</b>	Local selection committee members will receive examination copies of textbooks for review prior to local textbook selection hearings.
<b>January 31, 2008- February 24, 2008</b>	Local textbook selection hearings are conducted at regional sites throughout Mississippi.
<b>January 31, 2008- April 14, 2008</b>	During this period, the publisher is not permitted to contact the school districts until thirty-five days after presentations for which local textbook hearings are held unless indicated on the Form C.
<b>March 24, 2008 - April 14, 2008</b>	Textbook-selection ballots are due in the Textbook Office from the local-school districts thirty-five days from date of hearing for which local-textbook hearings are made.
<b>May 2008- June 2008</b>	Orders for newly adopted textbooks for use in the upcoming school year should be placed in order to help prevent back orders in August and September.  Examination copies of textbooks and all related materials distributed to the local-selection committees should be returned to the Mississippi depository.

**MISSISSIPPI**  
**TEXTBOOK-ADOPTION SCHEDULE**  
**FUTURE ANNUAL ADOPTIONS**

The Mississippi Department of Education reserves the right to make changes.

<i><b>Subject Areas To Be Adopted</b></i>	<i><b>Year of Adoption</b></i>	<i><b>Year Contract Becomes Effective on July 1</b></i>	<i><b>Fiscal Year(s) of Funding</b></i>
<b>Business and Technology Education Driver's Education Mathematics</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>
<b>Agriculture (Vocational) Business Technology (Vocational) Cooperative Education (Vocational) Health Education (Vocational) Marketing Education (Vocational) Trade &amp; Industrial Education (Vocational) Technology Education (Vocational) Foreign Language Science</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>
<b>Literature Reading</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>
<b>Social Studies Visual &amp; Performing Arts Business &amp; Technology Education</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
<b>Comprehensive Health Dictionaries English Language Arts Handwriting Spelling Physical Education Family &amp; Consumer Sciences (Vocational)</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>
<b>Business and Technology Education Driver Education Mathematics</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>